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Love and Marriage: Domestic Relations and Matrimonial Strategies Among the Enslaved in the Atlantic World

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LOVE AND MARRIAGE: DOMESTIC RELATIONS AND MATRIMONIAL
STRATEGIES AMONG THE ENSLAVED IN THE ATLANTIC WORLD

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DEDICATION

For Shanelle, the one who has loved me in my best and worst moments. This is your dissertation, as much as it is mine.

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I always ask for forgiveness when writing acknowledgements in fear that I may overlook those who have made significant contributions to this project. I have benefitted from the camaraderie of many instructors, friends, colleagues, mentors, librarians, archivists, and strangers. I hope these forthcoming words adequately represent my deepest appreciation for your individual contributions.

My interest in the African Diaspora and the Atlantic world was born through enrollment in a class called “Comparative Slavery” at UNLV taught by Dr. Kevin Dawson. While I was interested in medieval history at the time, the stories of diasporic Africans fascinated me and the way Kevin presented the material was infectious. I soon found myself in his office with some frequency discussing Graduate School and the somewhat ridiculous idea (at least at the time) of me becoming a doctor of philosophy. But he always reassured me, wrote multiple letters of recommendation, and believed in my capability to succeed in Graduate School. He also encouraged my enrollment in the Ph.D. program in History at the University of South Carolina, which is a department that has fostered my intellectual development and professionalization beyond my wildest expectations. I genuinely believe that if I had not enrolled in that pivotal class my junior year I would not be at this point. Perhaps I can never fully repay Kevin, but hopefully this public acknowledgement suggests my deep appreciation for everything he has done and continues to do, both past and present.

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Graduate School is a strenuous exercise in patience and sanity, and I am grateful for my friendships and affiliations with a number of individuals and groups during my

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ABSTRACT

“Love and Marriage: Domestic Relations and Matrimonial Strategies Among the Enslaved in the Atlantic World” argues that the cultural and sociopolitical dimensions of slave marriage were primary issues for diasporic Africans, abolitionists, and proslavery apologists whose lives were intertwined by the cultural and economic connections that framed the Atlantic World throughout the seventeenth, eighteenth, and nineteenth centuries. Through analyzing the interplay between legislation, cultural practice, and political discourse in the early periods of colonial slavery, I first show how matrimonial patterns from Atlantic Africa and Britain were re-imagined by diasporic Africans enslaved in Bermuda, the British West Indies, and colonial North America. Subsequent chapters then illuminate how matrimonial precedents established in these interconnected British territories influenced how both free and enslaved Americans approached the legislative restrictions that characterized slave marriage in the nineteenth-century American South.

While past analyses have addressed the social, cultural, and legal dimensions of slave matrimony in specific regions, slave marriage was imbedded within transatlantic discourses that influenced the cultural and political maneuvers of blacks and whites throughout the British Atlantic. Five of my eight chapters specifically concentrate upon the internal dynamics of slave marital relations, and reveal how African-descended peoples reckoned with the circumstances of slavery by creatively re-imagining ancestral

marital practices and appropriating foreign customs in Anglophone slave societies. Additionally, I use gender, class, and sexuality as analytical paradigms to explore how the concepts of masculinity, femininity, domesticity, homosociality, social status, and domestic authority were re-imagined by Atlantic Africans and their descendants in the Americas.

The remaining three chapters examine how British abolitionism in the early nineteenth century impacted slave legislation and reform in North America up to 1865. As British abolitionists gained public support in the early 1800s their actions spurred the simultaneous developments of a more vociferous North American abolitionist movement, as well as a formidable unit of proslavery apologists. Abolitionists cited the rupture of slaves' domestic relations as the most abhorrent feature of the slave regime, while slavery's apologists cited examples of lavish slave weddings to demonstrate their supposed paternalistic approach toward enslaved laborers. As slave societies crumbled around them, white southerners followed previous examples established by British reformers in proposing that slaves' marital unions be legalized, hoping that this maneuver would promote the system's survival by making it more palatable to both American and international critics. While the reforms were largely ineffective in curtailing the master's authority, the appeal to the marital contract as a remedy for slaves' circumstances is highly suggestive of the subject's importance throughout the nineteenth century.

For multiple generations slaves who were ensnared within Anglophone slavery survived multiple events that violated their marital rights, such as the passage from Atlantic Africa to the Americas; Caribbean sugar production; internal slave trades; and the turbulence of warfare. These multifaceted examples plainly reveal the violence done

to slaves' domestic relations, and in turn prompt a single, critical question: What does "marriage" mean to people who are unable to access a legally-recognized domestic relationship? By grounding my analysis in ex-slave narratives, memoirs, plantation journals, political tracts, and court cases I answer this query by revealing the intricate details of slaves' private lives and how their maneuvers to secure companionship were influential in challenging and overturning the brutal conditions of Atlantic slavery.

TABLE OF CONTENTS

DEDICATION.....	iii
ACKNOWLEDGEMENTS.....	iv
ABSTRACT.....	x
LIST OF FIGURES.....	xiv
INTRODUCTION.....	1
CHAPTER 1: A “MOST INTERESTING” SOCIAL CUSTOM: COURTSHIP AND MARRIAGE IN ATLANTIC AFRICA.....	24
CHAPTER 2: AN IRREGULAR UNION: EXAMINING THE BRITISH PRECEDENTS OF SLAVE MARRIAGE IN THE ANGLOPHONE ATLANTIC.....	81
CHAPTER 3: “A SYMBOL OF ETERNITY”: SLAVE MARRIAGE IN THE BRITISH WEST INDIES.....	122
CHAPTER 4: NO CEREMONY OF MARRIAGE: EXAMINING THE DOMESTIC LIVES OF BERMUDIAN SLAVES.....	177
CHAPTER 5: “PERFORMED AMONGST THEMSELVES”: THE INTELLECTUAL AND CULTURAL DIMENSIONS OF SLAVE MARRIAGE IN NORTH AMERICA, 1700-1820.....	222
CHAPTER 6: “EITHER HUMAN BEINGS OR BEASTS”: SLAVE MATRIMONY IN ANTEBELLUM WHITE PERSPECTIVE.....	277
CHAPTER 7: SLAVE TESTIMONY: RITUAL PRACTICE AND GENDER RELATIONS IN THE MARRIAGES OF ANTEBELLUM SLAVES.....	349
CHAPTER 8: IN LOVE AND WAR: THE CULTURE AND POLITICS OF SLAVE MARRIAGE DURING THE CIVIL WAR.....	428
CONCLUSION.....	480
BIBLIOGRAPHY.....	489

LIST OF FIGURES

FIGURE 1.1	Public Procession of the King's Women (1820).....	39
FIGURE 1.2	Aboriginal Wedding at Fernando Po (1861).....	49
FIGURE 1.3	Marriage Procession, Senegal (1806).....	52
FIGURE 1.4	Le Mariage des Negres (1795).....	53
FIGURE 2.1	Marrying Over the Broomstick (1822).....	105
FIGURE 2.2	The Scotch Wedding, (circa 1795).....	107
FIGURE 5.1	The Orang-Outang carrying off a Negro Girl (1795).....	236
FIGURE 6.1	A Broomstick Wedding (1853).....	296
FIGURE 6.2	The Broomstick Wedding (1897).....	298

INTRODUCTION

On the 1st of August, 1842, the fervent abolitionist and Unitarian preacher William Ellery Channing delivered a lengthy discourse upon the progress of the emancipated black populations of the British West Indies. It was neither the first nor the last time Channing spoke upon the issue of slavery, but the date of this speech was significant. Hoping to bolster the cause for the abolition of slavery in the United States, figures like Channing, Frederick Douglass, Ralph Waldo Emerson, and various other northerners who were likewise dedicated to ending slavery gathered annually to commemorate a watershed moment in the history of black slavery in the Atlantic world, in which by an imperial order nearly 800,000 slaves were declared free on August 1st, 1834 throughout the colonies of the British Atlantic.¹ The 1834 declaration was a major occurrence in a series of events that challenged racially-based chattel slavery in the Americas. The Haitian Revolution had previously sent shock-waves throughout the Atlantic world through its exemplification that slaves could overthrow the colonial power and gain their freedom. The “Slavery Abolition Act” of 1833 (effective 1834) was a bit different, however, in that it had the backing of Parliament and the British Crown. It

¹ For literature upon the “August 1st” celebrations see: Paul Goodman, *Of One Blood: Abolitionism and the Origins of Racial Equality* (Berkeley: University of California Press, 1998), 23-64; Richard S. Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill: University of North Carolina Press, 2002), 86-130; Jeffrey R. Kerr-Ritchie, *Rites of August First: Emancipation Day in the Black Atlantic World* (Baton Rouge: Louisiana State University Press, 2007); Edward Bartlett Rugemer, *The Problem of Emancipation: The Caribbean Roots of the American Civil War* (Baton Rouge: Louisiana State University Press, 2008), chap. 7.

suggested that a European country, which at one point served as one of the most prolific participants in the Atlantic slave trade in the eighteenth century, sought to move beyond African slavery in the early nineteenth century. The impact this maneuver held upon the United States was significant. It simultaneously bolstered the abolitionist cause in the North and motivated southern slave owners to more vociferously defend their individual rights as property owners, further demarcating the border between slave-state and free-state. Thus, reserving the date of August 1st for a forum on the abolition of slavery sent a powerful message to proslavery apologists south of the Mason-Dixon Line.

Channing used the opportunity to discuss what he saw as the moral and civil triumph of emancipation. The speech primarily focused upon how black West Indians embraced Christian principles that led to religious, social, and economic improvements in the islands. While he noted that conditions in the West Indies were not paradisiacal, former slaves had embraced Christendom at higher rates, were less plagued with violence, and they now held the ability to acquire property. For Channing, this was certainly an improvement over slavery. A particularly prominent theme in this speech was the notion that these emancipated people embraced the Christian standard of marriage in far greater numbers than under slavery. Channing was following a common abolitionist criticism that saw slavery as the primary impediment to the moral uplift of enslaved people. Citing his own sojourn on a West Indian plantation prior to 1834, Channing contended the very idea of a “slave marriage” was a premier component of the hypocrisy in the slave system, as it furthered the emotional violence slaves experienced within the system. “Slavery violates the sanctity of home,” Channing said, “It either disallows marriage or makes it a vain show. It sunders husband and wife, sells them into

distant regions, and then compels them to break the sacred tie, and contract new alliances, in order to stock the plantation with human slaves.”² In this regard the slave system was wholly incompatible with the notion of marriage. It was only through emancipation that black marital life undertook a complete reversal. Channing claimed that reports from the West Indies revealed “marriage is acquiring sanctity in their eyes, that domestic life is putting on new refinement...Property, marriage, and religion have been called the pillars of society, and of these the liberated slave has learned the value.”³ For Channing, freedom was the only method for elevating black people to the standards of western society. The fact that the United States held well over three million slaves at the time he delivered this address was a direct affront to the humanitarian impulses that reverberated throughout the Atlantic world in the early nineteenth century.

In many respects, Channing’s speech encapsulates the structure of this dissertation, which analyzes slave marriage from the perspective of how events throughout the Atlantic influenced the cultural, social, and intellectual components of slave marriage throughout the Anglophone Atlantic world. The one aspect in which this dissertation departs from Channing’s statement is in its emphasis upon slaves’ cultural worldviews, and the extent to which they changed over time. Many abolitionists in the nineteenth century believed that slaves comprised a population that (predominantly white) northerners and missionaries needed to rescue, as slavery generally kept them in ignorance of western mores of civilization. Looking through the slave narratives, however, this dissertation argues that slaves generally understood the notion of marriage

² William Ellery Channing, *The Works of William Ellery Channing, D.D.: With an Introduction* (Boston: American Unitarian Association, 1877), 910.

³ Channing, *The Works of William Ellery Channing*, 917.

from the European perspective, but they consciously chose to either embrace the Christian standard of marriage, or they rejected it. I argue their decisions were not always based upon the restrictions of slavery, but due to a complex cultural matrix that absorbed or expelled cultural traits depending upon their usefulness. As scholars generally agree that people and ideas moved throughout the Atlantic with great fervency, this dissertation explores how the institution of marriage resonated among a population who was ostracized from the benefits of both English and American civil marriages throughout the *longue durée* of Atlantic slavery.⁴ Far from just a local question, the issue of slave marriage was imbedded in transatlantic issues that affected, and were affected by, African-descended slaves and European populations who dwelled in one of the many British colonies in the seventeenth, eighteenth, and nineteenth centuries. This dissertation examines slave marriage in the context of Anglo-Caribbean and American cultural, social, and legal perspectives from the inception of British colonization in the West Indies and North America up to slavery's demise in the American South in 1865.

The dissertation is framed around three central questions. To what degree were diasporic Africans able to recreate or reimagine their marriage traditions under Atlantic chattel slavery? At what point did local conditions prompt slaves to incorporate European rituals into their marital customs? Lastly, how did the concept of "slave marriage" influence the political and legal engagements of proslavery advocates and abolitionists throughout the

⁴ While this dissertation does not wholly embrace the theoretical trajectories of the Annals school, it is inspired by the school's notion of *longue durée* by studying the concept of slave marriage as a slowly evolving structure across multiple centuries, alongside the notion that slaves, given that many left no written records, can be represented in a collective biography. For the ideas of these concepts see the following works from Annals school scholars: Fernand Braudel, "Histoire et Sciences sociales : La longue durée," *Annales. Économies, Sociétés, Civilisations* 13, no. 4 (1958): 725-753; George D. Iggers, "The Image of Ranke in American and German Historical Thought," *History and Theory* 2, no. 1 (1962): 17-40.

Atlantic World? I argue that understanding slave matrimony in the United States is rooted in comprehending its cultural attachments to Atlantic Africa, Britain, and slave societies throughout the British Atlantic. Beginning in Atlantic Africa, I analyze how the marital practices of diasporic Africans and their American-born descendants were transmitted, reimagined, and politicized due to the process of forced migration and the legal dilemmas of slave marriage in the West Indies, Bermuda, and the US South. The circumstances of each location were different based upon geographical circumstances, legislative developments, and form of labor, but all remained connected through transatlantic exchange and the influences of Old World ideas upon the cultural outlooks of the New World slave populations. This dissertation views Africans and their diasporic descendants as the primary figures who shaped their historical experiences, as they formulated and recreated their matrimonial cultures up to slavery's ultimate demise in the Anglophone Atlantic world in 1865.

The broad geographical and chronological lens of this dissertation assumes an ambitious nature, but it is inspired by the Atlantic paradigm popularized by scholars who argue that Africa, the Americas, and Europe were linked throughout the early modern and early industrial periods through the transatlantic slave trade. In order to fully understand the transatlantic nature of slave marriage in both discourse and cultural practice I argue we must ground it within those locations that were intellectually and culturally attached to one another. This follows the methodological trajectory utilized by the seminal work of James Sweet, whose first book *Recreating Africa* was potentially viewed as an “overly ambitious” study of Africans in the Portuguese world for over three centuries. However, Sweet countered that his work was a study of “the beliefs and practices of a people; not a

study of captaincies, colonies, or nation states.”⁵ Indeed, for my own purposes I explicitly focus upon cultural practices, ideologies, and concepts that revolve around marriage law and culture in Atlantic Africa and Britain. This foundation then provides a framework for analyzing how the marital philosophies and cultures of African-descended peoples in the Americas evolved and adapted to the changing circumstances of British and American chattel slavery.

By discussing the Anglophone Atlantic specifically, this dissertation largely follows the approach used by Betty Wood and Sylvia Frey in their co-authored work *Come Shouting to Zion*, which traced the evolution of black religion and the eventual embrace of Christianity among slaves in the US South and British West Indies up to 1830. The book is ordered through a geographical and chronological trajectory, in which the scholars trace the influences of Christianity from Africa to the Americas through time and space. In their “Afterword”, Frey and Wood conclude that even after 1838 “many Afro-Caribbeans continued to reject the missionary churches and the Eurocentric Christianity they represented in favor of their own churches and religious leaders.”⁶ Such a bold statement needs further contextualization. What did this moment connote for the meaning of slave marriage in both the US South and the British island colonies? To what degree were marriage practices different among slaves in the US South as opposed to their predecessors in the colonial period and their counterparts in the West Indies? By

⁵ James H. Sweet, *Recreating Africa: Culture, Kinship, and Religion in the African-Portuguese World, 1441-1770* (Chapel Hill: University of North Carolina Press, 2003), 2.

⁶ Sylvia R. Frey and Betty Wood, *Come Shouting to Zion: African American Protestantism in the American South and the British Caribbean* (Chapel Hill: The University of North Carolina Press, 1998), 212. For a historiography of American slave religion and the Atlantic world that discusses the contributions of various works up to 2008 see the following article: Sylvia R. Frey, “The Visible Church: Historiography of African American Religion Since Raboteau,” *Slavery and Abolition* 29, no. 1 (2008): 83-110.

narrowing the focus specifically to marriage and expanding the chronological framework to the Civil War, I analyze how slave marital patterns and practices changed due to both transatlantic events, like British emancipation, as well as how local conditions that included the rise of a largely American-born slave population in the antebellum South. Going even further, I analyze how these changes can broaden our understanding of how slave marriage remained a central issue for slaves, abolitionists, and slaveholders in the nineteenth century.

An important question that largely remains overlooked in the historiography of slave marriage is how the cultural traditions of Africans and their descendants in the Americas clashed with the legal parameters of Anglophone legislation in the British West Indies and United States from the seventeenth century to slavery's demise in the nineteenth century. A prime reason for the oversight is the limited geographical and chronological lens employed by previous works. Slave marriage is typically studied within limited scopes, and while scholars have produced a number of thought-provoking analyses that consider the cultural, legal, and socio-political dimensions of slave marriage and the family, most are chronologically limited to the antebellum South and usually concentrate upon a specific region in North America or the Caribbean.⁷ Such works are

⁷ For American scholarship see: David Brion Davis, "A Review of the Conflicting Theories of the Slave Family," *The Journal of Blacks in Higher Education*, no. 16 (1997): 100-103; Charles Wetherell, "Slave Kinship: A Case Study of the South Carolina Good Hope Plantation, 1835-1856," *Journal of Family History* Vol. 6: 3 (Fall, 1981): 294-308; Cheryll Ann Cody, "Naming, Kinship, and Estate Dispersal: Notes on Slave Family Life on a South Carolina Plantation, 1786 to 1833," *The William and Mary Quarterly* Vol. 39: 1 (Jan., 1982): 192-211; Charles Joyner, *Down By the Riverside: A South Carolina Slave Community* (Urbana: University of Chicago Press, 1984): 217-222; Orville Vernon Burton, *In My Father's House are Many Mansions: Family and Community in Edgefield, South Carolina* (Chapel Hill: University of North Carolina Press, 1985); Cheryll Ann Cody, "There Was No Absalom on the Ball Plantations: Slave Naming Practices in the South Carolina Low Country, 1720-1865," *American Historical Review* 42 (1987): 563-596; Norrece T. Jones, *Born a Child of Freedom, and yet a Slave: Mechanisms of Control and Strategies of Resistance in Antebellum South Carolina* (Hanover, NH: University Press of New England, 1990), 37-63; Ann Patton Malone, *Sweet Chariot: Slave Family and Household Structure in Nineteenth-Century Louisiana* (Chapel Hill: University of North Carolina Press, 1992); Brenda E. Stevenson, *Life in Black and*

well researched in their respective source bases, but confining the analysis to a specific time or place runs the risk of presenting marriage as a static concept among the enslaved. For instance, scholars often discuss the peculiar slave custom of “jumping the broom”, but neglect to address that this tradition was largely a phenomenon unique to North American slaves in the nineteenth century.⁸ What did American slaves do prior to this

White: Family and Community in the Slave South (Oxford: Oxford University Press, 1996), 226-257; Larry Hudson, *To Have and to Hold: Slave Work and Family Life in Antebellum South Carolina* (Athens, GA: University of Georgia Press, 1997); Wilma A. Dunaway, *The African American Family in Slavery and Emancipation* (Cambridge: Cambridge University Press, 2003); Emily West, *Chains of Love: Slave Couples in Antebellum South Carolina* (Chicago: University of Illinois Press, 2004), 43-79; Damian Alan Pargas, *The Quarters and the Fields: Slave Families in the Non-Cotton South* (Gainesville, FL: University Press of Florida, 2010). For the West Indies see: B. W. Higman, “Household Structure and Fertility on Jamaican Slave Plantations: A Nineteenth-Century Example,” *Population Studies* 27 (1973): 527-550; B. W. Higman, “The Slave Family and Household in the British West Indies, 1800-1834,” *Journal of Interdisciplinary History* 6 (1975): 261-287; ; B.W. Higman, “African and Creole Slave Family Patterns in Trinidad,” *Journal of Family History* 3, no. 2 (June 1978): 163-78; Michael Craton, “Changing Patterns of Slave Families in the British West Indies,” *Journal of Interdisciplinary History* 10 (1979): 1-35; Christine Barrow, “‘Living in Sin’: The Church and Common Law Union in Barbados,” *Journal of Caribbean History* 29, no. 2 (1995): 47-70

⁸ The “broomstick wedding” is often simply referenced and has received no sustained, detailed analysis of its origins and importance for the slave community. For examples see the following works: Marion B. Lucas, *A History of Blacks in Kentucky*, vol. 1, *From Slavery to Segregation, 1760-1891* (Frankfort, KY: Kentucky Historical Society, 1992), 19; Kelly Brown Douglas, *Sexuality and the Black Church: A Womanist Perspective* (Maryknoll, NY: Orbis Books, 1999), 66; Katherine M. Franke, “Becoming a Citizen: Reconstruction Era Regulation of African American Marriages,” *Yale Journal of Law and Humanities*, 11 (1999): 252, 272; Clayton E. Jewett and John O. Allen, *Slavery in the South: A State-by-State History* (Westport, CN: Greenwood Press, 2004), 72, 108; Tammy K. Byron, “‘A Catechism for their Special Use’: Slave Catechisms in the Antebellum South,” (Ph.D Dissertation: University of Arkansas, 2008), 137. Even works specifically dedicated to enslaved marital relationships and family life do not go beyond a basic description of the activity: Bobby Frank Jones, “A Cultural Middle Passage: Slave Marriage and Family in the Ante-Bellum South,” (Ph.D Dissertation: University of North Carolina-Chapel Hill, 1965), 93-94; Malone, *Sweet Chariot*, 224; Anthony S. Parent, Jr. and Susan Brown Wallace, “Childhood and Sexual Identity Under Slavery,” *Journal of the History of Sexuality*, 3 (1993): 379-380; Hudson, *To Have and to Hold*, 159; Burton, *In My Father’s House*, 150; Carl H. Moneyhon, “The Slave Family in Arkansas,” *The Arkansas Historical Quarterly* 58 (1999): 31-32; Dunaway, *The African American Family*, 117-118; West, *Chains of Love*, 33; Darlene C. Goring, “The History of Slave Marriage in the United States,” *The John Marshall Law Review*, 39 (2005-2006): 309-310; Frances Smith Foster, *‘Til Death or Distance Do Us Part: Love and Marriage in African America* (Oxford: Oxford University Press, 2010), 91-93. Some historians have tried to place this custom in the colonial period, though provide no actual instance of it occurring, see David Hackett Fischer, *Albion’s Seed: Four British Folkways in America* (Oxford: Oxford University Press, 1989), 282; Oscar Reiss, *Blacks in Colonial America* (Jefferson, NC: Mcfarland & Company, Inc., 1997), 53. Through more careful research colonial historians have noted the custom did not exist among slaves, at least in the available documents, prior to the nineteenth century, see Philip D. Morgan, *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Lowcountry* (Chapel Hill: University of North Carolina Press, 1998), 531. Morgan also made his chapter on black family life in *Slave Counterpoint* into a chapter in an anthology five years later, see: Philip D. Morgan, “The Significance of Kin,” in *The Slavery Reader*, volume 1, eds. Gad J. Heuman and James Walvin (New

period? Is the custom found elsewhere? If not, what does this suggest about slavery in a comparative perspective? Without the context provided through the Atlantic lens these rather interesting slave customs are frequently overlooked because we lack the information to appropriately determine how and why slaves acquired them, and on what terms they did so.

As such, this expansive scope for slave marriage intersects with a number of historiographies that implore scholars to analyze slavery through the perspective of the enslaved, while also remaining mindful of the degree to which African worldviews resonated in the slave communities. Of course, the lack of slave voices in many of these periods and locations presents significant issues for representing the thoughts and motivations of the enslaved, but through carefully analyzing a diverse body of sources we can find useful clues for how and why slave marital practices evolved over time. In discussing marriage specifically, this work follows the contention of historian Colin Palmer whose study of slave marriages in colonial Mexico concludes that “until we begin to develop a better understanding of the cultures that the Africans brought with them and how some of these sensibilities survived or were altered and modified, our interpretation of the black past will remain seriously flawed.”⁹ Palmer’s exhortation encapsulates the historiographical influences of this dissertation, in which it builds upon the critical scholarship of slave culture in the African Diaspora and the importance of Atlantic

York: Routledge, 2003), 333; Donald R. Wright, *African Americans in the Colonial Era: From African Origins Through the American Revolution* (Wheeling, Ill: Harlan Davidson, 2010), 141.

⁹ Colin A. Palmer, “From Africa to the Americas: Ethnicity in the Early Black Communities of the Americas,” *Journal of World History* 6, no. 2 (1995): 236.

history in examining the cultural exchanges and connections among diverse people throughout the Anglo-Atlantic world.

Studies that privilege “slave culture” remain a popular approach for historians investigating the inner workings of slave communities. This notion revolves around the idea that scholars can unearth the attitudes, personalities, values, and cultural expressions of slaves by writing history from the bottom-up. From the Americanist angle this conceptual model is usually credited to historians like John Blassingame, Herbert Gutman, Eugene Genovese, Charles Joyner, and Sterling Stuckey. These studies of slave culture were largely initiated to respond to the labor-driven histories of past scholarship that either represented slaves as laborers with very little personality, or simply concluded that American slavery was so severe it practically annihilated any hope for the enslaved to develop a meaningful culture while in bondage.¹⁰ In these works, themes such as the familial unit, religion, food, dance, and music became particularly prominent and initiated a trajectory of American scholarship that stressed the study of slavery from the perspective of the enslaved, and not only that of their masters. Scholars discovered that despite the oppressive circumstances of American slavery, enslaved people developed vibrant cultures that intermingled both African and European cultural precedents to develop a society that was uniquely African American.

¹⁰ John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South Revised and Enlarged Edition* (1972; Oxford: Oxford University Press, 1979); Herbert Gutman, *The Black Family in Slavery and Freedom 1750-1925* (New York: Vintage Books, 1976); Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Random House, 1972); Sterling Stuckey, *Slave Culture Nationalist Theory and the Foundations of Black America* (Oxford: Oxford University Press, 1987). For an example of works that characterized the earlier scholarship see Ulrich Bonnell Phillips, *American Negro Slavery: A Survey of the Supply, Employment and Control of Negro Labor as Determined by the Plantation Regime* (New York: D. Appleton and Co., 1918); E. Franklin Frazier, “The Negro Slave Family,” 15 *The Journal of Negro History* (1930): 250; Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Antebellum South* (New York: Alfred A. Knopf Inc., 1956); Stanley Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago: The University of Chicago Press, 1959).

However, historians of southern slavery also held significant attachment to models proposed by earlier scholars in the fields of anthropology and sociology, many of whom looked outside North America for their discussions of how slaves in various locations expressed culture. Scholars like Nina Rodrigues, Gilberto Freyre, Melville Herskovitz, Sidney Mintz, and Richard Price, to name a few, all analyzed black communities in various slave societies in Latin America and the Caribbean to ascertain the impact of Africa on the culture of slaves and their descendants.¹¹ Among American scholars Herskovitz became most noteworthy for promoting the thesis of “African survivals”, which contended that slaves transported their cultural practices, in various degrees, throughout the diaspora. Using Jamaica as their case study the anthropological team of Sidney Mintz and Richard Price amended this thesis and submitted their “creolization model” in the 1970s, which stressed that the different ethnic groups in Africa taken in the transatlantic trade melded their cultures in New World slave societies to produce a distinct identity from the forebears. While not completely losing their “African” identities, Mintz and Price argued that the transatlantic slave trade was comprised of “heterogeneous” crowds of African peoples, and once they landed in slave societies languages, religions, and kinship ideologies were blended among slaves from different areas in Africa.¹² Their descendants who were born in the Americas

¹¹ Nina Rodrigues, *Os Africanos no Brazil* (São Paulo: Companhia Editora Nacional, 1935); Gilberto Freyre, *The Masters and the Slaves: A Study of the Development of Brazilian Civilization* (1933; New York, Random House, 1964); Melville Herskovitz, *The Myth of the Negro Past* (Boston: Beacon Press, 1946); Sidney W. Mintz and Richard Price, *The Birth of African-American Culture: An Anthropological Perspective* (Boston: Beacon Press, 1992). For an examination of how this scholarship developed and expanded see Kevin Dawson, “Slave Culture,” in *The Oxford Handbook of Slavery in the Americas*, eds. Robert L. Paquette and Mark M. Smith (Oxford: Oxford University Press, 2010), 466-488.

¹² For their discussion of heterogeneity upon the slave ships see Mintz and Price, *The Birth*, chap. 1. For a discussion of this historiography see Matt D. Childs, “Slave Culture,” *The Routledge History of Slavery*, eds. Gad Heuman and Trevor Burnard (New York: Routledge Press, 2011), 170-186.

subsequently developed cultural understandings comprised of both European and African worldviews that were uniquely their own.

Scholars continue to debate the degree to which slave cultures were “Africanized” or “creolized”. A few decades after Mintz and Price published their seminal essay on creolization, Africanist scholars challenged their conclusion by claiming the existing literature upon slavery was not sufficiently grounded in primary or secondary sources that discussed African cultures or societal worldviews. Scholars such as John Thornton, Michael Gomez, and Paul Lovejoy contended that enough evidence existed about African communities and their participation in the slave trade to reconstruct how African cultural worldviews thrived in slave societies throughout the Atlantic.¹³ Paul Lovejoy dubbed this scholarship the “Revisionist school” and submitted that it shifted the paradigm from “the emphasis from the birth of a new culture and society to the maintenance of ties with the homeland.”¹⁴ While he lauded the earlier attempts of scholars like Sterling Stuckey and Gwendolyn Midlo Hall, he noted that those who studied the African dimensions were largely unable to “establish how and when culture was transferred.”¹⁵ Scholars who discussed Africa in these earlier slave studies typically began with slavery and then projected those cultural customs back to Africa. In response, Africanists scholars

¹³ The seminal works associated with each of these authors include the following: John Thornton, *Africa and Africans in the Making of the Atlantic World, 1400-1800* (1992; revis. Cambridge: Cambridge University Press, 1998); Michael Gomez, *Exchanging our Country Marks: The Transformation of African Identities in the Colonial and Antebellum South* (Chapel Hill: University of North Carolina Press, 1998); Paul E. Lovejoy, ed., *Identity in the Shadow of Slavery* (London: Continuum, 2000).

¹⁴ Paul E. Lovejoy, “The African Diaspora: Revisionist Interpretations of Ethnicity, Culture and Religion under Slavery,” *Studies in the World History of Slavery, Abolition and Emancipation* 2, no. 1 (1997): accessed via http://www.yorku.ca/nhp/publications/Lovejoy_Studies%20in%20the%20World%20History%20of%20Slavery.pdf

¹⁵ Lovejoy, “The African Diaspora,” *ibid.*

contended that analyses of slave culture must begin in Africa if one expects to appropriately contextualize the cultural maneuvers of slaves in the diaspora.

These works significantly impacted how scholars began to view the resiliency of African cultures throughout the western hemisphere and gave rise to a more assertive movement in the United States among historians who believed creolization unfairly claimed supremacy in the debate. In a provocative essay published in 1999, Gomez asserted “the day of the learned scholar of North American slavery, unlearned in the histories and cultures of Africa, is mercifully coming to an end,” and he also remarked that, in this regard, “North Americanists have much to learn from their Latin Americanist and West Indianist colleagues.”¹⁶ Even if one did not completely believe the notion that African cultural practices survived in their entirety and submitted to the creolization paradigm, scholars of slavery in the Atlantic world became progressively more skilled in comprehending the importance of Africa in Atlantic history. According to historian Matt Childs, scholars who study American slavery have “generally followed the Mintz and Price Creolization model with its emphasis on New World innovations in the formation of African-American cultures.”¹⁷ This is largely true, though some recent analyses from Jason Young and Ras Michael Brown have reviewed the African impact upon slave communities in the South Carolina lowcountry, and submit that these communities maintained more specific cultural and religious ties with the Kongo/Angola region of

¹⁶ Michael A. Gomez, “African Identity and Slavery in the Americas,” *Radical History Review* 75, (1999): 112, 113.

¹⁷ Childs, “Slave Culture,” 171.

Atlantic Africa.¹⁸ These scholars were not necessarily arguing for a pure transmission of culture that never changed in the diaspora, but were most interested in the dynamic resiliency of certain traits that provided both physical and psychological resistance to the institution of slavery. In many respects, the popularization of the Atlantic history paradigm has assisted this new generation of scholars to appreciate the contributions of African-descended peoples throughout the Atlantic world, as well as appreciating the interconnected nature of colonies, empires, and nation-states who were interlinked by the Atlantic economy.

While there is no definitive consensus on what defines “Atlantic history,” Alison Games argues that historians claiming to use the Atlantic paradigm must be those “who work deliberately to integrate their particular findings into a larger unit, who read broadly, who are open to interdisciplinary approaches, and who are committed to moving beyond parochial frameworks dictated by conventional historiographic divisions.”¹⁹ Similarly, Jack Greene and Philip Morgan argue that Atlantic histories must “demonstrate connections and explore contrasts” during this period of oceanic migration.²⁰ In regards to the usefulness of the Atlantic model for assisting historians of the African Diaspora,

¹⁸ Jason R. Young, *Rituals of Resistance: African Atlantic Religion in Kongo and the Lowcountry South in the Era of Slavery* (Baton Rouge: Louisiana State University Press, 2007); Ras Michael Brown, *African-Atlantic Cultures and the South Carolina Lowcountry* (Cambridge: Cambridge University Press, 2012). Also see T. J. Desch-Obi, *Fighting for Honor: The History of African Martial Art Traditions in the Atlantic World* (Columbia, SC: University of South Carolina Press, 2008).

¹⁹ Alison Games, “Atlantic History: Definitions, Challenges, and Opportunities,” *American Historical Review* 111, no. 3 (June 2006): 757.

²⁰ Philip D. Morgan and Jack P. Greene, “Introduction: The Present State of Atlantic History,” *Atlantic History: A Critical Appraisal* (Oxford: Oxford University Press, 2009), 8. For other essays in Atlantic history that articulate the debates and controversies within the field see: Bernard Bailyn, “The Idea of Atlantic History,” *Itinerario* 20 (1996): 19-44; Peter A. Coclanis, “Atlantic World or Atlantic/World?” *The William and Mary Quarterly*, 63 (Oct., 2006): 725-742; Jorge Canizares-Esguerra, *Puritan Conquistadors: Iberianizing the Atlantic, 1550-1700* (Stanford: Stanford University Press, 2006): 215-233.

Kim Butler contends that the Atlantic framework has “created a space for historians working on the transcontinental interconnected nature of the Afro-Atlantic diaspora, previously constrained by geographic fields of specialization.”²¹ Arguably the most pivotal aspect of how Atlantic historians view the triumph of this relatively new framework is that it is intended to privilege the histories of the subaltern and move beyond the paradigms of the powerful.²² Indeed, viewing the African diaspora through an Atlantic framework provides opportunity for gaining perspective on the experience of the millions of diasporic Africans taken in the Atlantic trade, particularly since prior to 1820 they outnumbered their European counterparts five to one in transatlantic migration.²³

In respect to connecting Atlantic history with marriage rituals, only one work by Nicholas Beasley has attempted to place marriage in an Atlantic lens.²⁴ Beasley’s analysis, however, is more interested in the dimensions of Christian ritual and power, with one chapter exploring the significance of marriage and baptism in the British colonies of South Carolina, Jamaica, and Barbados. Marriage, however, is inherently

²¹ Kim D. Butler, “Cliot and the Griot: The African Diaspora in the Discipline of History,” in *The African Diaspora and the Disciplines* eds. James H. Sweet and Tejumola Olaniyan (Bloomington, IN: Indiana University Press, 2010), 28

²² This idea was most directly promoted in an essay by Jack P. Greene, ““Beyond Power: Paradigm Subversion and Reformulation and the Re-creation of the Early Modern Atlantic World,” in *Crossing Boundaries: Comparative History of Black People in Diaspora*, Darlene Clark Hine and Jacqueline McLeod, eds. (Bloomington: Indiana University Press, 1999): 336-338.

²³ David Eltis, “Free and Coerced Transatlantic Migrations: Some Comparisons,” *American Historical Review* 88 (1983): 255; Stanley L. Engerman, “Slavery and Emancipation in Comparative Perspective: A New Look at some Recent Debates,” *Journal of Economic History* 46 (1986): 318-322; Joseph E. Inikori and Stanley L. Engerman, “Introduction: Gainers and Losers in the Atlantic Slave Trade,” in *The Atlantic Slave Trade: Effects, Economies, Societies and Peoples in Africa, the Americas, and Europe* eds. Joseph E. Inikori and Stanley L. Engerman (Durham, NC: Duke University Press, 1992), 14.

²⁴ Nicholas M. Beasley, *Christian Ritual and the Creation of British Slave Societies 1650-1780* (Athens: University of Georgia Press, 2009).

different than baptism in that the Christian marriage ceremony was simultaneously a legal and religious rite. The marriage ceremony was an important component in validating a couple's moral commitment to the Christian lifestyle, but the couple's legal identity could be legitimized through either a civil or religious authority. Baptism, in contrast, only secured one's place in the Christian fold and guaranteed spiritual protection while slaves' bodies remained the property of their masters. The legal dimension of marriage made baptism a much easier commitment for the slave, as a masters could not forcibly "unbaptize" slaves in the same manner that they could forcibly separate enslaved families through sale. Additionally, marriage serves as a useful reference point to calibrate the degree to which slaves continued to participate in Christian rituals after baptism. The quantitative and qualitative data used in this dissertation helps calibrate the degree to which baptized slaves embraced the monogamous standard. If they generally did not, this evidence provides further evidence for contextualizing the doctrinal outlook of slave Christianity in the Americas. Thus, marriage deserves special focus since it held the dual role of recognizing one's spiritual and legal position in a Christian society. Atlanticizing marital rites within a religious and legal context helps explain the intellectual trajectory of British/American developments of morality and slavery, and how slaves evolving approaches to marriage reveals their ability to reckon with the circumstances of chattel slavery throughout the Anglophone Americas.

The dissertation begins at the points of origin for these Atlantic migrants: Atlantic Africa and Great Britain. Chapter one provides a detailed overview of marriage rituals and practices throughout Atlantic Africa documented by Europeans and Africans throughout the period of the transatlantic slave trade. While the term "Atlantic Africa" is

used by many scholars who study this period of the African diaspora, it has not really been defined in these publications.²⁵ For my purposes, Atlantic Africa comprises those regions that became involved in the transatlantic trade from the coastline to deep in the interior. This large swath includes the cultural and linguistic groups who found themselves both actively participating in the slave trade as partners, as well as those many individuals who became entangled by long-reaching tentacles of the transatlantic slave trade. Beginning my analysis in this part of Africa takes cue from Africanist Paul Lovejoy and other Atlantic scholars who contend that to understand the importance of Old World ideas upon the New we must place the Middle Passage “back in the middle.”²⁶ Considering that scholars have access to few enslaved voices in the Americas during the earlier periods of Atlantic slavery, the descriptions of marital customs and traditions documented throughout Atlantic Africa provide important context for understanding how slaves recreated and reimagined their marital customs under chattel slavery in the British Americas.

Other Atlanticists such as Alison Games and Nicholas Canny have stressed the contributions of European migrants upon the British Atlantic. My second chapter examines the important precedents that British law and culture established for both the enslaved and the free populations in the Americas.²⁷ Combining the methods of Atlantic

²⁵ Examples include the edited volume of Matt D. Childs and Toyin Falola, ed., *The Changing Worlds of Atlantic Africa: Essays in Honor of Robin Law* (Durham, NC: Carolina Academic Press, 2009); Akinwumi Ogundiran and Toyin Falola, ed., *Archaeology of Atlantic Africa and the African Diaspora* (Bloomington, IN: Indiana University Press, 2010); Philip D. Morgan, “Africa and the Atlantic, C. 1450 to C. 1820,” in *Atlantic History: A Critical Appraisal*, 229.

²⁶ Paul Lovejoy, *Transformations in Slavery: A History of Slavery in Africa, 2nd Edition* (Cambridge: Cambridge University Press, 2000): 2.

²⁷ Alison Games, *Migration and the Origins of the English Atlantic World* (Cambridge: Harvard University Press, 1999); Nicholas Canny, “Writing Atlantic History; or, Reconfiguring the History of Colonial British America,” *Journal of American History* 86 (1999): 1093-1114.

history with the extensive literature discussing British marriage patterns from scholars like Lawrence Stone, David Cressy, R.B. Outhwaite, and Rebecca Probert, this dissertation considers how British understandings of marriage influenced the viewpoints of colonists.²⁸ By focusing upon folk customs and marital legislation, I am able to ascertain the impact that both British law and cultural practices had upon the slave populations throughout the Anglo-Americas. Providing this overview of British marital legislation and cultural practices is particularly important for understanding how colonial and American lawmakers attempted to model their societies upon British precedents, and it provides useful context for examining how they dealt with the question of slave marriage despite the absence of the concept in the mother country. As historians of colonial British law have noted, the Anglophone legislators initially held very few precedents for governing the slave population. Even after they developed more comprehensive slave codes in the seventeenth century, both Americans and British lawmakers largely avoided the question of legalizing slave marriages until their systems were coming to an end.²⁹ The legislative oversight produced two features of Anglophone slavery. First, it provided some opportunity for slaves in the Anglophone regions to develop unique cultures that were birthed through the initial indifference of the master class and the negligence of the slave code in regulating slave marriages. Second, it

²⁸ Lawrence Stone, *Uncertain Unions: Marriage in England 1660-1753* (Oxford: Oxford University Press, 1992); David Cressy, *Birth, Marriage, and Death: Ritual, Religion, and the Life-Cycle in Tudor and Stuart England* (Oxford: Oxford University Press, 1997), 285-378; R. B. Outhwaite, *Clandestine Marriage in England, 1500-1850* (London: Palgrave Macmillan, 2003); Rebecca Probert, *Marriage Law and Practice in the Long Eighteenth Century: A Reassessment* (Cambridge: Cambridge University Press, 2009).

²⁹ This question is explored more extensively in the subsequent chapters, but for now the reader is referred to the following resources that provide a comparative lens in how different European countries implemented their slave legislation, with particular note to marriage: Alan Watson, *Slave Law in the Americas* (Athens: University of Georgia Press, 1989); Elsa V. Goviea, *The West Indian Slave Laws of the Eighteenth Century* (Barbados: Caribbean Universities Press, 1970), 9-53.

encouraged abolitionists to draw upon the hypocrisy of the system that claimed its basis upon Christian precepts, but simultaneously forbade its enslaved laborers from experiencing the sacred institution of marriage without the master's interference.

The dissertation spends the next three chapters in the British colonies and examines how slaves, missionaries, and planters all negotiated their individual space in the colonial project. The three chapters are divided by individual location, and individually examine how the social legal, and cultural dynamics of the West Indies, Bermuda, and North America dictated the cultural adjustments, transmissions, continuities, and exchanges that occurred under slavery. The third chapter specifically focuses upon how slaves in the British West Indies approached marriage, and the degree to which the legislative atmosphere either curtailed or increased their ability to follow African methods of marriage and the domestic relationship. This chapter draws from travel narratives, colonial reports, and missionary correspondence to examine how slaves approached the marriage ceremony and the domestic state, and how their marital circumstances bolstered the transatlantic abolitionist movement that characterized the late eighteenth and early nineteenth centuries. Subjects like polygyny, domestic violence, African-centered cosmology, and the impact of amelioration and emancipation receive extended attention.

Chapter four builds upon these conclusions by offering a counterpoint in Bermuda. While Bermuda was still a "slave society," due to its economic reliance upon the production of slaves, Bermuda's circumstances were drastically different than the societies of the West Indies and North America, both of which relied heavily upon

slaves' agricultural labor in the production of staple crops..³⁰ While slavery was valuable to the Bermudian economy it was mainly in the form of maritime slavery, through which black sailors gained an impressive amount of autonomy with a life at sea. Compared to their counterparts elsewhere in the Atlantic, the Bermudian economy did not centralize within mass agricultural production, and thus did not demand the arduous and fatal labor requirements that characterized the sugar and rice economies of the West Indies and North America.³¹ These circumstances allowed slaves in this small island to engage in social customs that were rather unique in the Atlantic world. This chapter notes, however, that Bermuda still subscribed to the same legal precedents as the West Indies and North America, which granted colonial slave owners immense power over their slaves' marital customs. This dichotomy is important to explore, as Bermudian historiography is relatively polarized in deciding whether slavery in Bermuda was a benign form or not.

The fifth chapter on North America views slave marriages through the colonial period up to 1820. Examining the marriage patterns and practices of these earlier slave populations reveals that they held a greater proclivity to African-centered practices than their descendants in the antebellum period (1820-1860). I intersect with a number of historiographies in this chapter, including how Roman Catholics in North America compared with their counterparts in the Iberian and French Atlantic; the colonial debate

³⁰ For further information upon these two concepts see Moses I. Finley, *Ancient Slavery and Modern Ideology* (New York: Viking Press, 1980); Erik Christiansen, "The Moses Finley Approach to Slavery and Slave Society," in *Ancient History Matters: Studies Presented to Jens Erik Skydsgaard on his Seventieth Birthday* (Rome: Analecta Romana Instituti Danici, 2002), 23-27.

³¹ For analyses that examine the fatal nature of sugar and rice in the slave societies see: Stuart B. Schwartz, ed., *Tropical Babels: Sugar and the Making of the Atlantic World, 1450-1680* (Chapel Hill: The University of North Carolina Press, 2004); Michael Tadman, "The Demographic Cost of Sugar: Debates on Slave Societies and Natural Increase in the Americas," *American Historical Review* 105, no. 5 (2000):1534-1575; William Duminberre, *Them Dark Days: Slavery in the American Rice Swamps* (Athens, GA: University of Georgia Press, 2000).

upon breeding versus importation; and how masters and missionaries both vied for power in the multiple regions of the early North American South. The few sources that describe the ritual practices of colonial slaves are largely contextualized through utilizing the data acquired in the chapter on Atlantic Africa. The African precedents show how the cultural maneuvers described in the writings of European and Euro-American observers reveal that many North American slaves were able, in some degree, to recreate and reimagine customs reminiscent of their ancestral homelands.

The two chapters that follow indicate how both whites and blacks between the years 1820 and 1860 conceived of slave marriage in the evolving antebellum system. Utilizing the more robust source base available for nineteenth-century America, chapters six and seven evaluate the differences and similarities in how antebellum whites and blacks approached the topic of slave marriage, and how abolitionist discourses alongside both regional and international events influenced how slaves approached the marital contract in the nineteenth century. Chapter six examines how both transatlantic and local conditions altered the discourse over slave marriage among both abolitionists and proslavery apologists. Using planter's journals, correspondences, southern publications, abolitionist tracts, and postbellum interviews I argue that the antebellum period was a distinct moment in the history of southern slavery in that it placed greater concern upon how slave matrimony was a method of social control upon the slave population, and a tactic through which southern apologists deflected the criticism of the increasingly vociferous abolitionist movement. Chapter seven privileges the voices of antebellum slaves using various archival resources, ex-slave autobiographies, and various interviews of the last African Americans to experience slavery in the United States. I use these

sources to provide new perspectives upon the domestic relations of southern slaves, especially the subjects of polygamy, slave breeding, and domestic abuse. Additionally, I intensively focus upon the unique custom of “jumping the broom”, and analyze how and why American slaves reimagined this British folk ritual in the nineteenth century.

The final chapter scrutinizes slave matrimony as it became a topic at the forefront of Confederate discourse during the American Civil War, as well as how slaves in both Union and Confederate-occupied territories understood that the events surrounding them impacted their access to legally-protected marriage. In this regard, the Civil War became an important moment in altering how Confederates conceptualized their position in the war, and the degree to which slaves were able to capitalize upon the crumbling slave society. The stories were not always triumphant, however, as the war destroyed nuclear units and encouraged some slaves to desert their families upon the prospect of freedom. In regards to slave marriage, the Civil War was a watershed moment in the history of slave marriage in Anglophone slave societies as four million slaves in North America reckoned with the difficult decisions that were presented them in the war-torn South. The dissertation concludes with a brief discussion of the impact of freedom upon African American matrimony, and assesses how the legislative precedents established in slavery transferred to other aspects of American marriage culture.

Remaining attentive to the transatlantic connections shared by each of these regions is a primary feature of this dissertation. Readers will find that it pays attention to certain individuals, customs, laws, and ideas that resonated in multiple regions throughout the chronological period of this dissertation. For instance, the formerly enslaved Methodist missionary Edward Fraser appears in three of these chapters, and I

examine how his passion upon the subject of slave marriage influenced his missions throughout Britain, the West Indies, and Bermuda. Focus upon this unique individual follows previous scholarship that utilizes biography to examine the experiences of peoples of African descent in the Atlantic world.³² The dissertation also focuses upon how African and European marriage customs resonated among enslaved populations throughout the Atlantic world, particularly examining the influences of polygyny, African cosmology, and British folk customs among various African-descended populations that were held under Anglophone slavery. In many respects, how slaves approached marriage in different chronological periods was dependent upon the British legal precedents that resonated throughout both the island colonies and North America. Lastly, the dissertation scrutinizes how slave marriage was imbedded within the intellectual debates and discourses that permeated throughout the Anglo-Atlantic in the late-eighteenth and nineteenth centuries. Far from an institution based solely upon local conditions, this work argues that understanding slave matrimony in various contexts is dependent upon the scholar's comprehension of the cultural attachments that existed between the United States, Atlantic Africa, Britain, the West Indies, and Bermuda.

³² James Sweet, *Domingos Álvares, African Healing, and the Intellectual History of the Atlantic World* (Chapel Hill, NC: University of North Carolina Press, 2011); Roquinaldo Ferreira, *Cross-Cultural Exchange in the Atlantic World: Angola and Brazil during the Era of the Slave Trade* (Cambridge: Cambridge University Press, 2012)

CHAPTER 1

A “MOST INTERESTING” SOCIAL CUSTOM: COURTSHIP AND MARRIAGE IN ATLANTIC AFRICA

In his extensive travels throughout the Atlantic coast of Africa throughout the mid-nineteenth century, Irish trader Thomas Hutchinson commented upon a number of customs he thought peculiar to various tribes of “Ethiopians” who stretched from the coasts of Senegal to “Gaboon”. Through all of the cultural peculiarities that captured Hutchinson’s attention, it was a wedding ceremony at Fernando Po, a small island off the coast of present day Cameroon, that captivated his mind to such a high degree that he dedicated over ten pages to describing the elaborate ritual process. Calling marriage “the most interesting” of their social customs his lengthy insertion was highly unique in comparison to many of his contemporaries who largely dismissed Africans’ abilities to respect matrimonial ties.³³ Hutchinson’s narrative not only provided a lengthy description of the unique ritual maneuvers utilized by this particular group of African peoples, but also introduced his readers to the emphasis that Africans placed upon including family and kin in the marital process; the position of women in African domestic relations; and the importance of social institutions like polygyny in West African social structures.

³³ Thomas J. Hutchinson, *Ten Years’ Wanderings Among the Ethiopians: With Sketches of the Manners and Customs of the Civilized and Uncivilized Tribes, from Senegal to Gaboon* (London: Hurst and Blackett Publishers, 1861), 303.

After describing an elaborate procession that occurred prior to the ceremony, Hutchinson noted that two women called “Boonanas...Fernandian for grandmother,” provided instruction to both bride and groom, with the bridegroom’s mother “whispering to him advice to take care of this tender lamb, even though he had half-a-dozen wives before,” and then the bride’s mother “whispered into her daughter’s ear her duty to attend to her husband’s farm, tilling his yams and cassada, and the necessity of her being faithful to him.”³⁴ Hutchinson continued that the “ratification of their promise to fulfill this condition was effected by passing a goblet of palm wine from mother to son (the bridegroom), from him to his bride, from her to her mother each taking a sip as it went round.”³⁵ This latter component of the ceremony denoted a shared kinship network that linked the families through a ritual that symbolized a shared source of nourishment. Despite the husband’s polygynous relations, Hutchinson suggested that in Fernando Po the wedding ceremonies remained elaborate ordeals for each wife acquired. In his passage Hutchinson depicted a relatively balanced view of how Africans utilized their own unique rituals in the marital ceremony, as well as providing a detailed description of the intertwined functions of polygamy, the domestic economy, and social status. It is difficult to know why Hutchinson depicted his African subjects in a more objective manner, but it likely had something to do with the world in which he lived. He travelled throughout western Africa in the 1850s, and the previous five decades saw multiple slaves gain their freedom throughout the Americas. Perhaps he was inclined to view Africans as humans who held the potential for European civilization.

³⁴ Hutchinson, *Ten Years Wanderings Among the Ethiopians*, 310.

³⁵ Hutchinson, *Ten Years Wanderings Among the Ethiopians*, 310-311.

Hutchinson was no apologist for African morality or civility, but his deep interest in the wedding processional helps unpack the significance attached to the marital relation in communities that were intertwined with the Atlantic slave trade throughout the early modern period and into the nineteenth century. Apparently, the wedding was such a fascinating spectacle that he commissioned an artistic depiction of the ceremony as an introductory picture to his 1861 work *Ten Years' Wanderings Among the Ethiopians*. The picture's value as a resource for deciphering the ritual importance of African marriages is significant in and of itself, as it divulged a visual depiction of the wedding at Fernando Po replete with a representation of the husband and his multiple wives surrounded by enthusiastic spectators and military personnel. Though European commentators were often ill-equipped to interpret their observations fairly, accounts similar to Thomas Hutchinson's provide readers a wealth of information upon Atlantic African societies.

The prejudicial influences that most European observers held against African societies peppered their narratives, in turn demanding that historians tread carefully in taking their observations upon face value. However, it is possible to verify European narratives when viewed collectively and when used in conjunction with those left by formerly enslaved West Africans. In one example, Olaudah Equiano's account of weddings in Igboland held numerous similarities with the ceremonies of Hutchinson's Fernando Po. In both narratives the bride is given to the husband by her kin; has strings are tied around her waist during the ritual process; and is bestowed with gifts by relatives and kin after the ceremonial.³⁶ Ceremonies throughout Atlantic Africa utilized various

³⁶ Olaudah Equiano, *The Interesting Narrative of the Life of Olaudah Equiano, or Gustavus Vassa, the African. Written by Himself*, Vol. I (London: G. Vassa, 1789), 8-9. It is pertinent, of course, to note that the legitimacy of Equiano's narrative has been challenged by the findings of Vincent Carreta, who contests that Equiano was not born in "Igboland". His findings have sparked significant debate among Africanists. See

materials and approaches depending upon the region, but comparing and contrasting the descriptions of matrimony throughout Atlantic Africa is the most effective method for connecting the cultural worldviews of Africans with the limited resources for marriage rituals in the early Atlantic diaspora.

Utilizing a source base that combines contemporary European travel accounts with ex-slave narratives written by Africans, this chapter examines the relatively understudied topic of African marriage during the era of the transatlantic slave trade. It is particularly concerned with how African customs changed over time, as well as how they remained consistent with the essential principles that defined African matrimony. I submit that this standard can be equally applied to slaves in the diaspora. As past scholarship searched for “pure” transmissions of African cultural practices among slaves throughout the Americas, this chapter reveals that Africans reimagined their cultural practices according to the community’s needs. However, I also note that the essential principles of marriage remained the same, as it centralized within the notions of bridewealth, gift exchange, the expansion of one’s kinship network, and the cosmological worldviews that guided the individuals. In many respects, this chapter serves as a reference point for the later examinations of marriage in the diaspora by presenting a comprehensive analysis of African marital customs from the vantage points of ritual

Vincent Carretta, *Equiano, the African: Biography of a Self-Made Man* (Athens, GA: University of Georgia Press, 2005); Alexander X. Byrd, “Eboe, Country, Nation, and Gustavus Vassa’s ‘Interesting Narrative’,” *The William and Mary Quarterly*, 63, No. 1 (2006): 123-148; Paul E. Lovejoy, “Autobiography and Memory: Gustavus Vassa, Alias Olaudah Equiano, the African,” *Slavery and Abolition*, 27 (2006): 317–347; Vincent Carretta, Paul E. Lovejoy, Trevor Burnard, and Jon Sensbach, “Olaudah Equiano, the South Carolinian? A Forum,” *Historically Speaking: The Bulletin of the Historical Society*, 7 (2006): 2–16; Vincent Carretta, “Response to Paul Lovejoy’s ‘Autobiography and Memory: Gustavus Vassa, Alias Olaudah Equiano, the African,’” *Slavery and Abolition*, 28 (2007): 115–119; Paul E. Lovejoy, “Issues of Motivation: Vassa/Equiano and Carretta’s Critique of the Evidence,” *Slavery and Abolition*, 28 (2007): 121–12; James H. Sweet, “Mistaken Identities? Olaudah Equiano, Domingos Alvares, and the Methodological Challenges of Studying the African Diaspora,” *American Historical Review*, 114 (2009): 279-306.

practice, institutional dynamics, and cultural adaptation. In turn, it provides a reference point for understanding the matrimonial worldviews of Africans and their descendants who toiled upon slave colonies throughout the Americas.

While scholars have examined the complexities associated with the African family since the mid-twentieth century, evidence for African marital patterns largely relied upon oral histories collected in the early-twentieth century.³⁷ Of course, such resources remain important for breaking our reliance upon the Eurocentric categorization of “marriage” as a civic union ratified by the Christian principles of monogamy and heterosexuality.³⁸ However, they pose problems in tracking how marital patterns and practices changed throughout the many centuries of transatlantic trading that impacted the cultural developments and exchanges between African, European, and Native American populations throughout the period of the transatlantic slave trade. Additionally, analyses of African marriage practices follow Europeans’ focus on the “exotic”, and typically favor discussions of polygamy, social networking, or miscegenation, but largely neglect any extensive discussions of the meanings of rituals utilized by Atlantic Africans, and the significance of such rituals for those forcibly taken in the early modern

³⁷ E. R. Radcliffe-Brown and Darryl Forde, ed., *African Systems of Kinship and Marriage* (London: Oxford University Press, 1950); Barbara E. Harrell-Bond, “Stereotypes of Western and African Patterns of Marriage and Family Life,” *Journal of Marriage and Family* Vol. 38: 2 (May, 1976): 387-296; Shula Marks and Richard Rathbone, “The History of the Family in Africa: Introduction,” in “The History of the Family in Africa,” special issue, *The Journal of African History* 24: 2 (1983): 145-161; Wyatt MacGaffey, “Lineage Structure, Marriage and the Family amongst the Central Bantu,” in “The History of the Family in Africa,” special issue, *Journal of African History* 24, no. 2 (1983): 173–87; Antonio McDaniel, “The Power of Culture: A Review of the Idea of Africa’s Influence on Family Structure in Antebellum America,” *Journal of Family History* Vol. 15: 2 (1990): 225-238.

³⁸ Scholars have, for instance, uncovered important instances of same-sex relationships that existed throughout Africa that challenge Eurocentric conceptions of “marriage” or family”. See Rudi C. Bleys, *The Geography of Perversion: Male-to-Male Sexual Behavior Outside the West and the Ethnographic Imagination, 1750-1918* (New York: New York University Press, 1995); James H. Sweet, “Male Homosexuality and Spiritism in the African Diaspora: The Legacies of a Link,” *Journal of the History of Sexuality*, 7 (1996): 184-202; Will Roscoe and Stephen O. Murray, *Boy-Wives and Female Husbands: Studies of African Homosexualities* (New York: Palgrave Macmillan, 2001).

diaspora.³⁹ My primary contention revolves around the notion that the complexities of courtship and marriage throughout Atlantic Africa were highly difficult to duplicate in their entirety in the diaspora, but ignoring African precedents hinders our further understanding of the creative resiliency of African peoples who initially tried to meld their ancestral customs within harsh and unfamiliar environments. In earliest periods of slavery, in particular, I argue it was the African origins that ultimately shaped American outcomes.

This chapter intervenes in the historiography by following the scholarship that places Africa as the focal point for contextualizing the actions of subsequent generations of African slaves and their descendants in the Americas.⁴⁰ By analyzing the available resources for the early modern period of African civilizations, this analysis follows historian John Thornton's argument that scholars of Africa and the diaspora must read the available contemporary documents that range from the sixteenth to nineteenth centuries in order to grasp "the dynamic of precolonial African societies" and overcome the "theoretical supposition...that African society and culture did not change."⁴¹ Far from

³⁹ In one recent example, the work of Emily Lynn Osborn analyzes African marital structures through her analysis of French-African interracial marriage in the colonial period. While the work is deeply research and richly detailed the reader is not presented with significant information upon marriage in the precolonial period of West Africa, see Osborn, *Our New Husbands Are Here: Households, Gender, and Politics in a West African State from the Slave Trade to Colonial Rule* (Athens: Ohio University Press, 2011). For some older works upon West African marriage and its connections to social status see Suzanne Miers and Igor Kopytoff, eds., *Slavery in Africa: Historical and Anthropological Perspectives* (Madison: The University of Wisconsin Press, 1977), specifically chaps. 7 and 13.

⁴⁰ The "revisionist school", as it is popularly called includes the following seminal works: Thornton, *Africa and Africans*; Paul E. Lovejoy, "The African Diaspora," 1-23; Colin A. Palmer, "Defining and Studying the Modern African Diaspora," *Perspectives*, 36 (1998): 1, 22-25; Sweet, *Recreating Africa*.

⁴¹ Thornton, *Africa and Africans*, 6. A similar contention was echoed by anthropologist J. Lorand Matory in 2005 in which he criticized scholars for studying diasporic cultures "as though time stopped in the homeland," see J. Lorand Matory, *Black Atlantic Religion: Tradition, Transnationalism, and Matriarchy in the Afro-Brazilian Candomblé* (Princeton: Princeton University Press, 2005): 71; Sweet, *Recreating Africa*, 1.

static communities, Atlantic Africans integrated cultural traits and materials that served a functional purpose within their society, allowing them to recreate and reimagine important cultural traits dealing with important institutions like religion, agriculture, and military conflict. Indeed, even nineteenth-century commentators like Reverend C.W. Thomas realized that by the nineteenth century African societies connected to the Atlantic trade had been “modified by contact with white men, by the slave trade, by commerce, by the teachings of missionaries, Mohammedan, Romish, and Protestant [and] the institutions and ideas of to-day are not those of five centuries ago.”⁴²

Remaining committed to the chronology of the sources is important for this discussion, but it is important to consider that some sources published at later dates might more accurately reflect the customs of earlier generations. In this regard the aforementioned account of Hutchinson is a useful example. While his account takes place in the mid-nineteenth century, a period where many African communities had already culturally evolved through European trade, the ceremony he describes appears strikingly traditional. The fact that the participants partook of palm wine is particularly striking, as I argue later in this chapter that palm wine became less important in the wedding ceremonies for many ethnic groups due to the greater availability of European alcohols. Thus, despite its chronological placement Hutchinson’s account reveals a ceremony that reflects a cultural enactment that was largely based upon the community’s ancestral traditions, rather than the adjustments made through the availability of European goods.

In utilizing this theoretical trajectory, this chapter scrutinizes how marital patterns and

⁴² Chas. W. Thomas, *Adventures and Observations on the West Coast of Africa, and its Islands. Historical and Descriptive Sketches of Madeira, Canary, Biafra, and Cape Verd Islands; Their Climates, Inhabitants, and Productions. Accounts of Places, Peoples, Customs, Trade, Missionary Operations, etc., etc., On that Part of the African Coast Lying Between Tangier, Morocco and Benguela* (orig. 1860; New York: Negro Universities Press, 1969), 288.

practices throughout Atlantic Africa evolved through the accumulation of goods provided through European traders, and how certain items like tobacco, rum, and the ring-shaped “manilles” gained popularity in marriage ceremonies throughout Atlantic Africa. In placing detailed attention upon the social functions of the institution of polygyny, the dynamics of African courtship, and the ritual practices that defined various regions, this chapter views marriage from both cultural and intellectual standpoints. It examines the importance of particular marital traits that differed from the Eurocentric worldview and how both Africans and Europeans interpreted these distinctions in their own societies.

Most African societies connected to the transatlantic trade continued to engage marital contracts through the paradigm of “gift exchange,” in which the male or his elder representative approached the bride’s parents with gifts as an offer for her hand in marriage.⁴³ Similar to their approach with European traders, Africans did not use coinage or trade bills in their gift exchange negotiations and continued to use commodities that enticed the kinship network of his prospective bride. Potential husbands were obligated to offer items that equaled the woman’s value according to the terms established by her parents. The item given by the suitor functioned as an insurance policy for both bride and groom. For the groom the item served as “earnest money” that ensured his claim upon the woman prior to other suitors, and according to custom such contracts were binding up to the wedding date. If the contract was broken, for whatever reason, custom dictated the gift must be returned to the suitor. Without this measure full satisfaction could never be

⁴³ Gift exchange has been aptly documented through the work of anthropological and ethnographic studies, and the reader is referred to the following seminal works: Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies*, trans. Ian Gunnison (orig. 1925; London: Lowe and Bryden, 1966); Nancy D. Munn, *The Fame of Gawa: A Symbolic Study of Value Transformation in a Massim Society* (Cambridge: Cambridge University Press, 1986), 121-162.

attained.⁴⁴ From the bride's perspective the item was considered a "bridewealth" that denoted a promise that if she was physically abused or unsatisfied in the relationship she could return to her family and the items used to purchase her were returned to satisfy the husband's loss.⁴⁵ Throughout this period specific commodities were subject to change and the terms of supply and demand were heightened by the introduction of new goods through both transatlantic and global exchange.⁴⁶ In analyzing marital descriptions and their connections to Atlantic commodities one must be mindful how historical trajectories evolved during the Atlantic trade.

Scholars note that African communities tied to the transatlantic slave trade each possessed unique cultural traits and subscribed to a variety of cosmologies that guided the social and political developments of their individual societies.⁴⁷ Europeans who travelled throughout the African Atlantic littoral were mindful of traits peculiar to groups that dwelled upon the coast with those of the interior. Trader John Duncan, for instance, noted that interior communities outside the Kingdom of Dahomey were "very different, both in form and appearance, as well as in character, and possess more elasticity of temper than

⁴⁴ Ludewig Ferdinand Romer, *A Reliable Account of the Coast of Guinea (1760)* (Oxford: Oxford University Press, 2000), 185.

⁴⁵ Gary Ferraro and Susan Andreatta, *Cultural Anthropology: An Applied Perspective* (Belmont, CA: Wadsworth, 2012), 222-224.

⁴⁶ As Peter Coclanis has cautioned, Atlantic historians must be mindful of commodities produced outside the Atlantic that became popular in transatlantic trading, such as cowries shells: Coclanis, "Atlantic World or Atlantic/World?" *The William and Mary Quarterly*, 63 (2006): 731. The origins of these trading commodities were documented by European observers and historians familiar with trade relations on the west coast of Africa: Edward Henry Nolan, *The Illustrated History of the British Empire in India and the East, from the Earliest Times to the Suppression of the Sepoy Mutiny in 1859*, vol. 1 (London: James S. Virtue, 1878), 408

⁴⁷ Much of this argument is succinctly explained in Lovejoy, "The African Diaspora," 1-23.

natives near the west coast.”⁴⁸ Other narratives concurred with Duncan’s assertion and surmised that the most explicit differences existed between populations closer to the coast with those in the interior. For many travelers the information concerning interior communities was usually acquired through intermediaries, since Europeans’ physical constitutions were unfit for extended exploration into the interior. Slave trader William Bosman noted that his own information upon interior communities along the Gold Coast was “collected from the Relation of the *Negroes* that come from thence: but they are such people, that in this and other things I dare assure myself of the Truth of what they say.”⁴⁹ Most commentators claimed that the great divide between the interior and coastal communities was due to the extended contact between the coastal communities and European traders throughout the Atlantic trade. In consequence, European travel accounts usually claimed the coastal communities were “in general shrewd and artful”, while their interior counterparts remained “more simple in their manners, more devoid of art, and more free from suspicion.”⁵⁰ In these suppositions interior communities resembled

⁴⁸ John Duncan, *Travels in Western Africa, in 1845 & 1846, Comprising A Journey from Whydah, Through the Kingdom of Dahomey, to Adofoodia, in the Interior*, volume 2 (London: Richard Bentley, 1847), 111. A number of travelers and missionaries would comment on the “remarkable traits” of the people within the specific regions visited. For a sample of such commentaries see the following works: Thomas J. Hutchinson, *Impressions of Western Africa: With Remarks on the Diseases of the Climate and a Report of the Peculiarities of the Trade up the Rivers in the Bight of Biafra* (London: Longman, Brown, Green, Longmans, & Roberts, 1858), 52; John Adams, *Remarks on the Country Extending from Cape Palmas to the River Congo with an Appendix Containing an Account of the European Trade with the West Coast of Africa* (London: G. and W.B. Whittaker, 1823), 70;

⁴⁹ William Bosman, *A New and Accurate Description of the Coast of Guinea: Divided into the Gold, the Slave, and the Ivory Coasts. Containing a Geographical, Political and Natural History of the Kingdoms and Countries: with a Particular Account of the Rise, Progress and Present Condition of all the European Settlements upon that Coast; and the Just Measures for Improving the Several Branches of the Guinea Trade* (London: James Knapton, 1705), 208.

⁵⁰ Thomas Winterbottom, *An Account of the Native Africans in the Neighbourhood of Sierra Leone; to which is Added, An Account of the Present State of Medicine Among Them*, vol. 1 (London: C. Whittingham, 1803), 206-207. Winterbottom noted that these divergences were not very different from those in Europe, in which the manners of the people in large and populous towns differed from those of rural communities.

childlike societies. Mindful of these theories, speculators and plantation owners throughout the Americas readily distinguished between ethnic groups from Atlantic Africa and scholars note that many developed theories upon the advantages and disadvantages of purchasing particular ethnic groups for labor in American slave systems.⁵¹

However, while cultural proclivities were distinct in the various regions that comprised Atlantic Africa I contend that the transatlantic trade held a unifying influence in the adoption of certain traits, tools, and customs of African peoples who acquired similar goods from European traders. Establishing these linkages provides compelling evidence for understanding the abilities of diasporic Africans to recreate, reimagine, or adjust their ancestral customs under the oppressive conditions of chattel slavery throughout the Americas. As different as the interior and coastal communities were from one another, the slave trade tied many of them to one another in ways both cultural and economic. The societal functions of courtship, the wedding ceremony, and domestic structures were quite similar in many societies. One trait that was largely universal to

⁵¹ Scholars have documented and debated a number of ethnic distinctions developed by slave traders in the early modern Atlantic World, such as “Igbo suicide”, Senegambian rice cultivation techniques, and the supposed laziness of enslaved Africans from particular regions along the Atlantic littoral of Africa. Typically, these suppositions varied by individual preference. For some overviews the reader is referred to the following analyses: Paul E. Lovejoy, “Ethnic Designations of the Slave Trade and the Reconstruction of the History of Trans-Atlantic Slavery,” in *Trans-Atlantic Dimensions of Ethnicity in the African Diaspora*, eds. Paul E. Lovejoy and David V. Trotman (New York: Continuum, 2003), 9-42; Terry L. Snyder, “Suicide, Slavery, and Memory in North America,” *The Journal of American History*, 97 (2010): 39-62; Douglas B. Chambers, *Murder at Montpelier: Igbo Africans in Virginia* (Jackson, MS: University Press of Mississippi, 2005); Gwendolyn Midlo Hall, *Slavery and African Ethnicities in the Americas: Restoring the Links* (Chapel Hill: University of North Carolina Press, 2005). The rice debate has far too many listings for a single footnote, but see the following two articles for a summary: David Eltis, Philip Morgan, and David Richardson, “Agency and Diaspora in Atlantic History: Reassessing the African Contribution to Rice Cultivation in the Americas,” *American Historical Review*, 112 (2007): 1329-1358; “AHR Exchange: The Question of ‘Black Rice’,” *American Historical Review*, 115 (2010): 123-124.

Atlantic African communities was the practice of polygyny (usually called polygamy by contemporaries), a system that captivated Europeans who observed it firsthand.

Polygyny and Social Status in Atlantic Africa

Representations of African marital practices varied by the observer, but denouncements of polygyny, a practice universal to continental Africa, united most European commentators in their representations of African mores. Many observers judged African's moral practices in a similar vein as British traveler Joseph Corry, who dismissed their marital virtues as "too offensive for delicacy even to reflect upon."⁵² Polygyny was universal throughout Atlantic Africa prior to the slave trade, though there is evidence that the practice expanded by the extreme demographic shifts many communities experienced through their participation in the trade. Africanist scholars like J.D. Fage, Patrick Manning, and John Thornton provide strong evidence to support the notion that polygyny increased through the transatlantic trade, primarily due to the larger exportation of African men to European colonies in the Americas and the increased usage of women in positions of domestic slavery throughout Atlantic Africa.⁵³ This evidence is useful when examining the demographic impacts of the trade, but from a cultural perspective it is essential to note that polygyny was a prevalent feature in many of the early European accounts that were documented during the Atlantic trade's infancy.

⁵² Joseph Corry, *Observations upon the Windward Coast of Africa: The Religion, Character, Customs, etc. of the Natives with a System upon which they May be Civilized* (1807; Republished London: Frank Cass and Company Limited, 1968), 11.

⁵³ J.D. Fage, "Slavery and the Slave Trade in the Context of West African History," *Journal of African History* 10 (1969): 393-404; Patrick Manning, *Slavery and African Life* (Cambridge: Cambridge University Press, 1990); John K. Thornton, "The Slave Trade in Eighteenth Century Angola: Effects on Demographic Structures," *Canadian Journal of African Studies* 14 (1980): 417-427.

European adventurers, missionaries, and slave traders believed that “polygamy” was primarily responsible for the universal immorality that supposedly existed within African communities. Dutch explorer Pieter de Marees noted in the late sixteenth century that African men on the Grain Coast (Liberia) “keep as many wives as they can feed...and are very jealous about their wives.”⁵⁴ Despite polygyny’s apparent connection with pre-modern barbarity, some observers noted it held some practical value. In the kingdom of Angola, Filippo Pigafetta alleged that polygyny populated the country “to an incredible extent...As a result...the kingdom of Angola has a million fighting men...because each man, having many wives, also has many children.”⁵⁵ While the connections between population and military capability were important for assessing potential resistance in trading, later commentators expressed interest in population gauging for reasons directly connected with transatlantic slave trading.

English slaver William Snelgrave believed polygamy provided boosts in population necessary for the continuous export of large numbers of enslaved peoples: “from *Cape Verde* to *Angola*...*Polygamy* is allowed in general amongst them, by which means the countries are full of People, I hope that it will not be thought improbable that so many are yearly exported from thence.”⁵⁶ Robert Norris’ 1789 account of the African slave trade went a step further. Perceiving that nearly every male he came across had at least “two or three wives”, Norris inferred that polygyny was actually advantageous to

⁵⁴ Pieter de Marees, *Description and Historical Account of the Gold Kingdom of Guinea* (1602) ed. and trans. Albert van Dantzig and Adam Jones (Oxford: Oxford University Press, 1987), 15.

⁵⁵ “Warfare in Kongo and Angola,” in *The Portuguese in West Africa, 1415-1670: A Documentary History*, ed. Malyn Newitt (Cambridge: Cambridge University Press, 2010), 141. For a similar reference see “The Slave Trade is Good for Kongo,” on page 152 in this same volume.

⁵⁶ William Snelgrave, *A New Account of Some Parts of Guinea and the Slave Trade* (London: James, John, and Paul Knapton, 1734), 160. Emphasis in original.

African communities due to the casualties of warfare throughout Atlantic Africa and the “great majority of male slaves carried out of it.” In his supposition that polygamous marriages enabled Africans to repopulate their ravaged communities, Norris deduced that “Africa can not only continue supplying all the demands that offer for her surplus inhabitants... but, if necessity required it, could spare thousands, nay millions more, to the end of time.”⁵⁷ Despite polygyny’s associations with pre-modern barbarism, commentators suggested it provided a potential safeguard that assured the continued export of African chattel to the Americas. Since marital institutions outside Christian monogamy were considered equivalent to paganism or barbarity, Europeans’ references to Africans’ predispositions to polygyny were legion during the centuries of transatlantic expansion.

The initial shock of polygynous relationships defined many of the perceptions that European visitors held of African rulers and slave traders. Stories of African kings, in particular, became mythic in the number of spouses some attained, and the artistic depictions of an African king and his wives were primarily used to display his social prestige. Thomas Hutchinson claimed that the “King of Ashantee has three thousand three hundred and thirty-three (a number which... ‘is never exceeded’)” and the “King of Yoruba” was unsure how many wives he possessed, but “he was sure that his wives would reach hand in hand... a distance of about 250 miles.”⁵⁸ German trader Olfert

⁵⁷ Robert Norris, *Memoirs of the Reign of Bossa Ahadee, King of Dahomy, An Inland Country of Guiney. To Which are Added, the Author’s Journey to Abomey, the Capital; and a Short Account of the African Slave Trade* (London: W. Lowndes, 1789), all quotes on page 156.

⁵⁸ Hutchinson, *Impressions of Western Africa*, 51. While Hutchinson did base many of his ideas upon observation, in these sections he is following earlier work documented by European adventurers, see: Caleb Wright, *Superstitions of the Ashantees, Especially Those which Lead them to Sacrifice, on Certain Occasions, Thousands of Human Victims* (Troy, NY: Caleb Wright, 1848), 28; Hugh Clapperton, *Journal of a Second Expedition into the Interior of Africa, from the Bight of Benin to Soccatoo, by the Late*

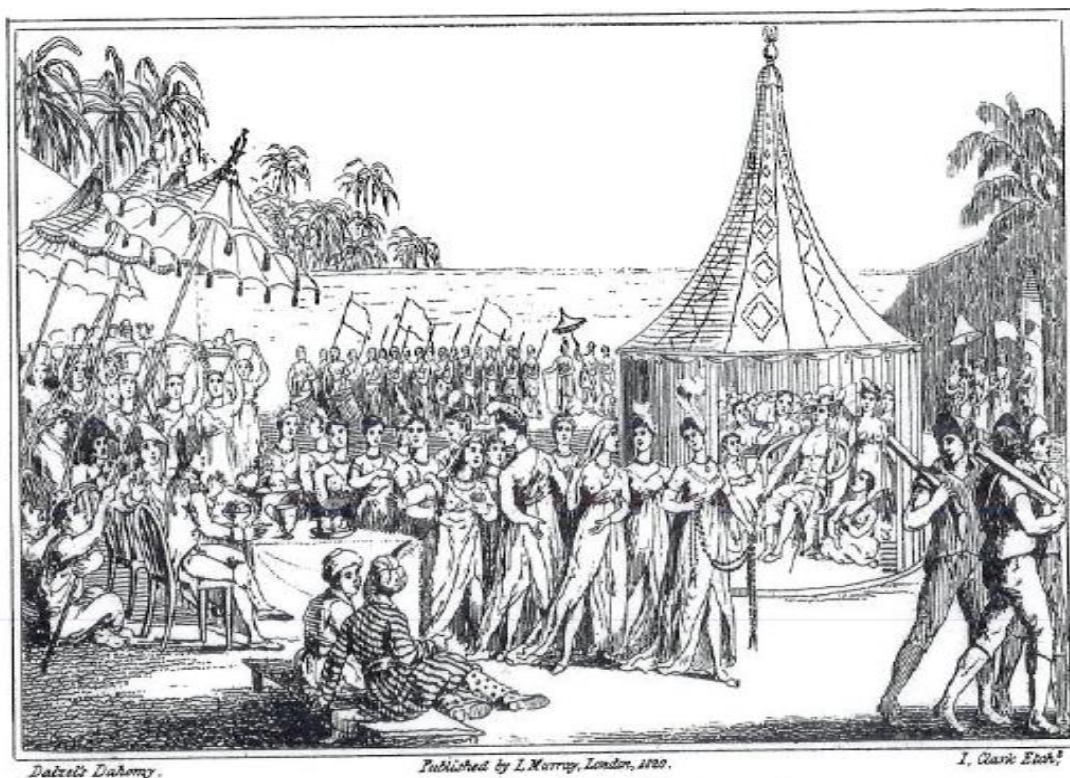
Dapper's 1668 account claimed a similarly high number for the King of Benin who he estimated held "over a thousand wives," largely due to the fact that he "inherited all the wives with whom his father had not slept."⁵⁹ The restriction of the son in inheriting only the wives that never copulated with his father prevented the son from inheriting his own mother as a wife. While the numbers of Danish trader Johannes Rask were significantly lower, he was astonished to find that "the king of Aqvambu has over 100, and the king of Fida is said to have 500 women."⁶⁰ In traditional African practices the number of wives typically denoted a male's social status within the community due to the function of gift exchange in the marital negotiations and the notion that marital alliances expanded one's kinship network.

Representations of plural marriage largely depended on the individual commentator's cultural acumen. In the mid-eighteenth century, Danish explorer Ludewig Romer noted that speakers of Accra along the Gold Coast ascribed to cosmologies in which their deities were married to multiple women. The popular trickster god Anansi, or *Nanni*, had "many wives and children, and his eldest and principal wife" was responsible

Commander Clapperton, of the Royal Navy, to which is Added, the Journal of Richard Lander from Kano to the Sea-Coast, Partly by a More Eastern Route with a Map of the Route, Chiefly Laid Down from Actual Observations for Latitude and Longitude (Philadelphia: Carey, Lea, and Carey, 1829), 76.

⁵⁹ Adam Jones, ed., *Olfert Dapper's Description of Benin (1668)* (Madison, WI: University of Wisconsin African Studies Program, 1998), 21.

⁶⁰ Johannes Rask, "A Brief and Truthful Description of a Journey to and from Guinea," in *Two Views from Christiansborg Castles*, vol. 1, trans. Selena Axelrod Winsnes (Accra, Ghana: Sub-Saharan Africa Publishers, 2009), 103. While commentators like Captain Hugh Crow were a bit more realistic, he also came to conclusion that while wives generally exceeded more than twenty for one man, royalty was an exception to the rule: Captain Hugh Crow, *Memoirs of the Late Captain Hugh Crow, of Liverpool; Comprising A Narrative of his Life, Together with Descriptive Sketches of the Western Coast of Africa; particularly of Bonny; The Manners and Customs of the Inhabitants, the Production of the Soil, and the Trade of the Country. To Which are Added, Anecdotes and Observations, Illustrative of the Negro Character* (London: Longman, Rees, Orme, Brown, and Green, 1830), 236.



PUBLIC PROCESSION of the KING'S WOMEN .

FIGURE 1.1 “Public Procession of the King’s Women”
Image taken from John M’Leod, *A Voyage to Africa* (1820), pp. 56-57

for reminding him to provide food for humans in the event of drought.⁶¹ The number of wives was also tied to the symbolism of numbers. In one of the earliest English accounts of societies along the Gambian river, Richard Jobson noted that a king was limited to seven women that were acknowledged as his wives, though he also reserved the usage of “other women...as we may term them Concubines.”⁶² Jobson was unsure why seven was the maximum number for kings in this region, but he explained that the additional women accumulated beyond the seventh wife came from the common people. Europeans overwhelmingly condemned the system, but a number of narratives acknowledged the

⁶¹ Romer, *A Reliable Account*, 82.

⁶² Richard Jobson, *The Golden Trade, or A Discovery of the River Gambia, and the Golden Trade of the Aethiopians* (1623; republished in London: Dawsons of Pall Mall, 1968), 65.

polygynous system held operational value within the complex kinship ties that defined African social networks. Perhaps even more significant, some European males even admitted that polygyny carried a moral superiority to monogamy in regards to a male remaining faithful to the one with which he was legally married.

William Smith's 1744 description of ethnic groups near the coast of Whydah, in present Benin, suggested that polygyny was a logical approach in securing and building one's masculinity. Smith claimed that his associates provided four reasons for polygyny's moral value, and he cited four primary reasons for its practicality: tradition; a proscription against cohabitation during pregnancy; a belief that a female's inherent rivalry with her sister wives naturally inclined her to increase her affection for the husband; and the notion that polygyny provided enough variety at the home that the husband was not inclined to seek intimacy elsewhere. As an eighteenth-century seafarer, Smith actually conceded the point and claimed he knew "several who live chastely and soberly in this Method, and [I] have often thought that the practice of too many *Europeans* was more liable to censure, who besides a Wife keep two or three Harlots."⁶³ Smith's concession of European immorality validated polygyny, at least from an African standpoint. While Smith did not consider the institution consistent with Christian tenets, he did believe that the marriage of multiple wives at least legitimated the relationships and prevented a man from committing the all-too-common sin of European adventurers who often engaged in extramarital affairs.

⁶³ William Smith, *A New Voyage to Guinea : Describing the Customs, Manners, Soil, Climate, Habits, Buildings, Education, Manual Arts, Agriculture, Trade, Employments, Languages, Ranks of Distinction, Habitations, Diversions, Marriages, and Whatever Else is Memorable about the Inhabitants, Likewise an Account of the Animals, Minerals, &c* (1744; reprinted London: Frank Cass and Company, Ltd, 1967), 244-245.

Though polygyny was commonly described from the benefits it provided toward one's masculinity, a conversation between Charles Wheeler of the Royal African Company and his black female attendant provides critical information upon how polygyny was gauged by an African female. The narrative is particularly useful in that the woman employed impeccable logic when discussing the virtues of the institution, so much so that Wheeler was befuddled by a number of her own queries upon the illogical nature of Christian monogamy. Wheeler was apparently a captive audience to her queries, as he admitted the beauty of his "Black Lady" transcended any prejudices of skin color: "I soon forgot the complexion of my Bedfellow, and obeyed the dictates of all-powerful Nature...if paradise is to be found in the Enjoyment of a Woman, I was then in Possession of it."⁶⁴ Eventually, he found her intellect matched her beauty and recorded a lengthy discourse that compared the marital customs of the differing cultures. In debating the merits of copulation during pregnancy, Wheeler's attendant confounded his protestations against abstinence by citing the belief that Europeans produced more lunatics and paralytics from the practice, even citing scientific works left to her by an eighteenth-century French physician she had met previously. Wheeler had no rebuttal for her claim and conceded that African populations had very few disabled individuals. His unnamed associate then cited how this custom denoted the superior chastity of African women, whose "thoughts tended towards the child in her womb, and that she neither desir'd converse with Man, nor wanted it" while pregnant.⁶⁵ The claim again legitimized the initial plea for polygyny's importance in African moral practice and befuddled the

⁶⁴ Smith, *A New Voyage to Guinea*, 254.

⁶⁵ Smith, *A New Voyage to Guinea*, 256.

learned European who, perhaps for the first time, was forced to question the moral superiority of his own culture.

At one point, Wheeler even tried to avoid further conversation on European marital customs, as he feared “some Awkward Reflection or other she might make on them.”⁶⁶ After explaining the lengthy process of European courtship, and that interest in a young woman was predominantly determined by fortune and access to the parental network, his anonymous attendant challenged him again through suggesting that his account revealed that financial capital, more than love, governed the European marriage. As opposed to African societies in which the male approached the parents of a woman he desired at a young age, she contended that such a lengthy courtship process caused the European man to “court away all the love you have for a woman before you marry” and the older age in matrimony caused Europeans to “produce a puny race”.⁶⁷ Again, Wheeler had no response and at one point wished he could have concluded the dialogue, but his inquisitive companion always encouraged him to continue his illogical expositions.

Admittedly, Wheeler’s concessions to his African host were unique in the traditionally ethnocentric denunciations of polygyny found in most European narratives. However, despite their disgust with the notion of polygyny most commentators observed that it functioned efficiently within the Atlantic African systems of bridal negotiation in which, according to nineteenth-century European trader Brodie Cruickshank, “native contracts of marriage are made by the payment of a certain sum to the relations of the

⁶⁶ Smith, *A New Voyage to Guinea*, 259.

⁶⁷ Smith, *A New Voyage to Guinea*, first quote 261, second quote 260.

bride. This sum varies according to the rank of the individual...[and] it is more frequently paid in goods than in gold.”⁶⁸ The bridal price was usually determined by the woman’s social status, making it difficult to discern whether or not one’s rank provided advantages in the actual transaction. Bosman opined that on the Gold Coast social class dictated the expenditures of the wedding: “the Men marry as soon as they can raise Money to defray the Wedding-Charges; which being so very inconsiderable among the common people, they get a wife very soon.”⁶⁹ Elsewhere in Atlantic Africa the present given to the prospective bride was made in accordance with the “receiver’s ability”.⁷⁰ Thus, it appears that while ceremonial extravagance may not have been available to the lower classes of Atlantic Africa, they approached courtship and the marital contract using similar methods. In order to attain multiple wives the necessary goods were required for the payment of each bride, as well as the expenses of the actual celebration.

Accumulation of wives denoted one’s ability to climb the social ladder and Europeans noted, perhaps incidentally, that the slave trade provided opportunities for middling African traders to acquire significant prestige and wealth. In the experience of a Hausa slave trader named Tammata, adventurer John Adams noted that as soon as Tammata’s business “outstripped his competitors in wealth and influence...his dwelling was enlarged, the number of wives and domestics augmented, and his whole

⁶⁸ Brodie Cruickshank, *Eighteen Years on the Gold Coast of Africa. Including an Account of the Native Tribes, and their Intercourse with Europeans*, vol. 2 (London: Hurst and Blackett, 1853), 192.

⁶⁹ Bosman, *A New and Accurate Description of the Coast of Guinea*, 211. Snelgrave claimed the polygamy existed for every man, but distinguished the amount of wives by a man’s social status: Snelgrave, *A New Account of Some Parts of Guinea*, 3.

⁷⁰ John Mathews, *A Voyage to the River Sierra Leone: Containing an Account of the Trade and Productions of the Country and of the Civil and Religious Customs and Manners of the People During his Residence in that Country in the Years 1785, 1786, and 1787 with an Additional letter on the African Slave Trade* (1788; London: Frank Cass & Co., Ltd., 1966), 119.

establishment assumed something of a royal form.”⁷¹ The acquisition of additional spouses depicted the marks of an African male’s social mobility, and this claim of additional domestics makes sense within the context of traditional African notions of capital and property. Historian Joseph C. Miller contends that Africans acquired capital “no less than their European counterparts, but they understood the notion more broadly, in its true sense of any resource productive of wealth in the future.”⁷² John Thornton notes that the concept of landed property was foreign to most Atlantic Africans, and that “people rather than land were taxed.”⁷³ While it was not an egalitarian institution, polygyny maintained important socio-economic functions and enabled individuals to expand their kinship networks. Such units were paramount in securing trade relationships and alliances across geographical and cultural boundaries.⁷⁴

⁷¹ Adams, *Remarks on the Country*, 83. For similar description of a male trader in West Central Africa see Mary H. Kingsley, *Travels in West Africa: Congo Français, Corisco, and Cameroons* (1897; London: Frank Cass & Co. Ltd., 1965), 315-316. Upon the Windward Coast, Corry contended that the male “is attached by love about his thirteenth year...and in proportion as he acquires wealth, he associates with her [his head wife] several concubines, who generally live cordially together,” see Corry, *Observations upon the Windward Coast of Africa*, 66. Also see George Thompson, *The Palm Land or West Africa, Illustrated. Being a History of Missionary Labors and Travels, with Descriptions of Men and Things in Western Africa. Also, a Synopsis of All the Missionary Work on that Continent* (1858; London: Dawsons of Pall Mall, 1969), 246-247 for a discussion of polygamy and social class.

⁷² Joseph C. Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730-1830* (Madison, WI: University of Wisconsin Press, 1988), 42.

⁷³ Thornton, *Africa and Africans*, 77.

⁷⁴ Scholars have noted that polygyny should not be represented in romantic, egalitarian terms, but that it was a system that restricted the social mobility of women, controlled agricultural production, and preserved patriarchal cultures: Claire Robertson, “Africa into the Americas?” in *More than Chattel: Black Women and Slavery in the Americas* eds. Darlene Clark Hine and David Barry Gaspar (Bloomington, IN: Indiana University Press, 1996), 12; Sweet, *Domingos Alvares*, 55; Robin Law, *The Slave Coast of West Africa, 1550-1750: The Impact of the Atlantic Slave Trade on an African Society* (Oxford: Clarendon Press, 1991), 63-66.

The immoral connotations of polygyny clouded the judgment of many European commentators who viewed it as a primary impediment to African Christianization.⁷⁵ However, one event from Sierra Leone suggests that polygamy presented more than a spiritual problem in alleviating the institution. When speaking to a congregation of Jamaican maroons who were exported to the colony in 1800, one preacher denounced the plurality of wives as the gravest offense for Christians: “He demonstrated that, although they called many wives, one alone could claim that honourable name; and finally besought them to select each the spouse he loved best, and to put away the others.”⁷⁶ The maroons listened and promptly began disposing of their additional wives by dropping them off at the residence of the Lieutenant Governor of the colony. The Lieutenant Governor rejected their supplication and instructed them to seek the chaplain who originally exhorted them to perform the task. Upon their arrival to the chaplain’s door they shouted in a creole dialect: “Him take away wife...she no sabby where get yam-yam. Have no home, no sunting: missa parson, who take away wife, good man, can feed and keep her.”⁷⁷ The masculine responsibility of providing for the woman guided their response to the minister’s call to end polygamous practices, in which they remained determined that a male figure remain the women’s primary provider. Employing their own understandings of the responsibility for kinship, the Maroons anticipated that the

⁷⁵ F. Harrison Rankin, *The White Man’s Grave: A Visit to Sierra Leone in 1834*, Volume 1 (London: Richard Bentley, 1836), 110-111. This was discussed in a note by the physician Thomas Winterbottom in his visit to Sierra Leone, see Winterbottom, *An Account of the Native Africans in the Neighbourhood of Sierra Leone*, 147. Bosman noted a conversation he held with an “Augustin monk” who claimed polygyny was the primary obstacle to complete conversion, see Bosman, *A New and Accurate Description of the Coast of Guinea*, 385.

⁷⁶ Rankin, *The White Man’s Grave*, 110.

⁷⁷ Rankin, *The White Man’s Grave*, 112.

chaplain was now responsible for the upkeep of their surplus women who otherwise had few options in advancing their socio-economic positions without a husband.

Unsurprisingly, the chaplain was overwhelmed by their request and declined the responsibility. The wives returned home to their spouses and the sermon was never preached again. Any attempt at abruptly erasing the practice without solving the economic and societal consequences produced through the adjustment was nearly impossible. An ancient practice, polygyny was engrained in African social relationships for centuries. This scenario reveals a number of intricate details in the structure of the polygamous relationship that Europeans overlooked in their efforts for enforcing the monogamous standard. While the notion of choosing a favorite wife appears callous, this example shows that the men still felt obligated to ensure their remaining wives were integrated into a domestic unit that provided for them. In contrast, the chaplain probably expected that they would simply throw out the women to fend for themselves. When he was presented with the socio-economic dilemma of caring for the additional wives, he decided that it easily trumped any spiritual issue he held with the tradition. Notions of promiscuity motivated Europeans and Euro-Americans to dismiss African matrimonial processes, but various works also highlight a number of distinct features that characterized the African marriage ceremony. The next section uses images, travel accounts, and narratives from formerly enslaved Africans to reconstruct traditional African ceremonies, and uncover the symbolism that Europeans may have otherwise overlooked.

Ritual Practice and Symbolism in the Marriage Ceremony

In one of the more extensive accounts, eighteenth century Scottish explorer Mungo Park documented the elaborate nuptials of the Mandinka in Sierra Leone. Park noted the marriage ceremony included a large gathering of friends and relatives, ample food, sartorial splendor and a ritualistic process that required the bride to remain “seated upon a mat, in the middle of the floor, and...old women place themselves in a circle round her. They then give her a series of instructions, and point out, with great propriety, what ought to be her future conduct in life.”⁷⁸ The remainder of Park’s account divulged the length of the celebration, usually lasting 36 to 48 hours. Throughout the festivities the bride was confined to a hut attended by female elders, while the husband entertained the guests and only exited upon the signal that his bride was “privately conducted by the women into the hut which is to be her future residence.”⁷⁹ The next morning the same women inspected the sheets searching for evidence of intercourse, without which the entire ceremony was rendered invalid.

In a comparative perspective the accounts of Park, and that of the aforementioned Thomas Hutchinson, appear more favorable than many of their European counterparts. Bosman noted that marriages of coastal Africans along the Gold Coast were “not overloaded with Ceremonies, nor have they any notion of a Previous Courtship to bring on a match.”⁸⁰ Despite his cynicism, a more comprehensive reading of Bosman’s account reveals some inconsistency in his statement. As the narrative continues he noted a

⁷⁸ Mungo Park, *Travels in the Interior Districts of Africa: Performed under the Direction and Patronage of the African Association in Years 1795, 1796, and 1797* (London: W. Bulmer, 1799), 266.

⁷⁹ Park, *Travels in the Interior District of Africa*, 266.

⁸⁰ Bosman, *A New and Accurate Description*, 197.

particularly elaborate celebratory process that included the male gaining permission from the bride's parents, sending invitations to the attending guests, and the bride being "somewhat extraordinar[il]y dressed for several Days successively with fine Cloaths, Gold, and other Ornaments."⁸¹ Bosman skips over the three day ceremony in a rather deceptive attempt to discredit the ceremonial importance of African nuptials. Prejudice against West African marital patterns likely caused him to dismiss their ritual expressions, despite the fact that his narrative reveals that he witnessed such ceremonies.

What the text of travel narratives sometimes misinterpret, or omit, however, are rescued by artistic representations of African wedding ceremonies throughout West Africa. Thus far, three such representation have surfaced through the publications of European explorers throughout the eighteenth and nineteenth centuries. In viewing the first picture entitled "Aboriginal Wedding and Fernando Po", found in the account of Thomas Hutchinson, one is immediately struck by the magnitude of the ceremony due to the large number of attendees. While his text in combination with the image revealed significant detail of nineteenth-century marital structures in Fernando Po, one notices upon further scrutiny that the six individuals found dancing in a circular motion were not explicitly linked with the text. Despite his lengthy commentary upon the wedding, Hutchinson did not specifically reference this ritual maneuver, particularly why the artist was so careful in rendering the dance as a circular motion. While Hutchinson frequently mentioned that the bride's friends and kin initiated dancing and other motions throughout the ceremony, such movements were only portrayed as frivolous gesticulations of

⁸¹ Bosman, *A New and Accurate Description*, 198. Other accounts manifest similar tendencies: J. Leighton Wilson, *Western Africa: Its History, Conditions, and Prospects* (1856; New York: Harper and Row, 1969), 267.

excitement, rather than maneuvers that held symbolic value. Perhaps Hutchinson was ill-equipped to correctly interpret the symbolism and found a description of the general ambiance of the wedding more important component for his own commentary. The artistic specificity in drawing the dancers as moving in a circle appears more than accidental, however, suggesting that Hutchinson likely missed the symbolic significance of the dance he witnessed.



FIGURE 1.2 "Aboriginal Wedding at Fernando Po"

Photo Taken from Thomas Hutchinson's *Ten Years Wanderings Among the Ethiopians*, (1861). Copy made by author.

Unfortunately, Hutchinson did not provide definitive links to the drawing and his own description, but a close reading unveils the six dancers were most likely the bridegroom's six previous wives. In one passage he noted that upon the conclusion of the marriage ceremony "the former wives...sang, jumped, and wheeled around" as a way to

integrate the new wife into their fold.⁸² The reason for the circular representation, however, remained anomalous. Hutchinson also did not openly connect this particular wedding with any cosmological significance, but he noted elsewhere that weddings and other social functions were designed to thwart the diabolical machinations of a mythical water people who once ruled Africa, and these weddings only took place during November and December, the first two months of the New Year in Fernando Po. The careful timing of the processional suggests that weddings were deeply imbedded in the cosmological underpinnings of West African societies, though the significance of particular motions escaped Hutchinson's grasp.

Drawing upon other images for comparative purposes, however, we find that the circular wedding dance was not only limited to Hutchinson's group at Fernando Po. An image based upon a wedding in the late-eighteenth century also showed circular dancing associated with weddings at Goree Island, Senegal. In the image entitled "Black Marriage at Goree," which appeared in Jean Baptiste Durand's *A Voyage to Senegal*, dancers were depicted moving in a circular motion as the bride is led by her processional.⁸³ While scholars note this image was likely drawn through the interpretations of an artist, and not through Durand's own direction, the specific representations of the ceremony closely follow the text. Additionally, its similarities to the ritual practices described by Hutchinson and others who witnessed similar wedding ceremonies solidify its accuracy in representing an African wedding. For instance, this rendition portrays the bride's eyes

⁸² Hutchinson, Hutchinson, *Ten Years Wanderings Among the Ethiopians*, 310-311.

⁸³ Jean Baptiste Leonard Durand, *A Voyage to Senegal: Or, Historical, Philosophical, and Political Memoirs, Relative to the Discoveries, Establishments, and Commerce of Europeans in the Atlantic Ocean, from Cape Blanco to the River Sierra Leone. To Which is Added an Account of a Journey from Isle St. Louis to Galam* (London: Richard Phillips, 1806), image between pages 104-105. The wedding ceremony is also described within these pages.

covered by her head cloth and looking to the ground while she is pulled to the ceremony's location by her bridesmaids and elder kin. The blindfolded eyes and bowed head followed the typical European interpretation of the bride as having little choice in the matter of her suitor and her general subservience to her husband. In looking past the bridal focal point, however, a ring of dancers was again depicted. If one trusts that the chronology of the festivities within the image is accurate, it suggests that the dancing occurred prior to the blessing of the union by the elders, as the dancing occurs simultaneously with the bride being led by her entourage to the location where she will meet the bridegroom. It is even possible that the circular dancing occurred throughout the entire duration of the celebration.

In viewing one final image entitled "Les Mariage des Negres" published in 1795 a similar process of circular dancing is again depicted. In this final image the groom is reclining with three women and multiple children. The bare-chested women on the husband's left side were the groom's previous wives, as they are seen tending to the youngest children. It is difficult to know which point this image was intended to represent, as the figure opposite the husband remains mysterious. It is possible this was an elder whose responsibility was to provide instruction to the newlyweds, as this figure is the only one dressed in similar garments as the groom. Thus, it could either be the point directly before the bride is brought to the location of the nuptials, or it is the point directly following the pronouncement of man and wife in which the bride returns to her new home awaiting her husband. While the specifics of this image are difficult to unveil the image is consistent with the previous two images in its depiction of a ritual circle of

dancers. The only noticeable differences in the latter image include the clasped hands of the dancers and the possibility that some of the dancers resemble men. In the previous



FIGURE 1.3 Marriage Procession, Senegal, 1806; Image Reference durand2, as shown on www.slaveryimages.org, compiled by Jerome Handler and Michael Tuite, and sponsored by the Virginia Foundation for the Humanities and the University of Virginia Library.

two images the dancers are easily identified as women, but the distance of the dancers from the central figures in “Les Mariage des Negres” make the anatomical differences between the participants more difficult to decipher. However, the differences in gender representation are minor when considering the universality of the performance in each of the drawings.

The exact location the author meant to represent is difficult to determine, but considering the title and attached poem were written in French it is possible the Greater Senegambia region was the intended location, as the French maintained a strong trading presence along the Senegambian coast since 1677. Additionally, the dress of the

participants and spectators within the picture suggests Islamic influence. As ethnic groups throughout Senegal had gradually absorbed Islamic culture into their dress and religious expressions it seems most likely the image intended to represent African Muslims from



FIGURE 1.4 “Le Mariage des Negres” (1795). Photo extracted from website Slavery, Abolition, and Social Justice with the following link:

<http://www.slavery.amdigital.co.uk/pallas2.tcl.sc.edu/Contents/DocumentDetailsSearch.aspx?documentid=166277&prevPos=166277&previous=0&vpath=searchresults&searchmode=true&pi=1>

Upper Guinea. When viewed in tandem with the attached poem, it appears the author/artist intended to promote the dignity of African civilizations alongside the horrors of slavery in the Americas. In discussing those Africans taken in captivity, the poet beckons to those “proud townspeople” to pay attention to the brief narrative that explains the difficulties associated with slavery, but the eventual triumph gained through the performance of the marriage celebration: “...Ce beau jour est la fête et desris et des jeux, Le tableau du bonheur, cent fois, s’y renouvele/ Et les epoux qu’enivre une franche gaité, Perdent le souvenir de leurs captivité/.” The poem suggested that under slavery, for a

brief moment, slaves could lose the memory of the captivity. Thus, the publication of this image likely held two objectives. First, the artist revealed that contrary to many European suppositions, Africans utilized ceremonials that were rich in symbolism and festivity. Second, the attached poem was used to illustrate the value of encouraging slave matrimony in the Americas, as it provided a moment for reflection for slaves who understood the value of performing marriage ceremonies for psychological survival, as well as maintaining bonds of kinship in the diaspora.

The fact that these visual manifestations of wedding ceremonies released through European observations all depict the same ceremonial gesture of circular dancing suggest this component of the marital process merits more attention. Scholars of Africa and the diaspora have noted the significance of circular maneuvers within the rituals of African-descended people, particularly in religious activities.⁸⁴ While the various regions held distinct methods of expression, the concept of “circling” was a popular ritual performance for groups throughout Africa and the diaspora. In his pivotal analysis of slave culture in North America, historian Sterling Stuckey contended that circular maneuvers were some of the most important functions regarding the rites of passage of various Atlantic African groups. In the rituals of the Temne and Mende groups of Sierra Leone, for instance, the circle was a “chief symbol of a ceremony that leads to marriage

⁸⁴ Sterling Stuckey is the primary historian often credited with establishing the links between West Central Africans and diasporic Africans who used “circling” as a method of religious expression, though it should be noted that art historian Robert Farris Thompson’s analyses of circular figures in Kongo-American art predated Stuckey’s work. However, since Stuckey’s pivotal analysis numerous scholars investigating the African diaspora have provided additional evidence. See Robert Farris Thompson, *Flash of the Spirit: African and Afro-American Art and Philosophy* (New York: Random House, 1983); Sterling Stuckey, *Slave Culture: Nationalist Theory and the Foundations of Black America* (Oxford: Oxford University Press, 1987), chapter 1; James H. Sweet, “The Evolution of Ritual in the African Diaspora: Central African Kilundu in Brazil, St. Domingue, and the United States, Seventeenth-Nineteenth Centuries,” in *Diasporic Africa: A Reader* ed. Michael Gomez (New York: New York University Press, 2006), 71-77; Desch-Obi, *Fighting for Honor*, 35-40, 136-140.

and the renewal of the life process with the birth of children,” and courtship ceremonies in parts of West Central Africa also utilized circular dancing.⁸⁵ While it is likely that ritual expressions of circling took various forms in different parts of Atlantic Africa, the connection between circular maneuvers with courtship and marital expression permeated the cultural expressions of various African ethnic groups that became tied to the transatlantic slave trade.

While African ethnic groups obviously possessed distinct cultural traits and worldviews, sources reveal that Africans involved in the transatlantic slave trade approached courtship and marital engagements using similar methods. One way to understand these similarities is to note that the new commodities available through the transatlantic trade directly impacted the cultural traditions of each community that gained access to non-indigenous goods that became more widely available. Such goods provided new items for the contractual exchanges that comprised Atlantic African courtship and marriage ceremonies. While courtship and marriage would follow the same traditional methods Africans used for multiple centuries, the items were no longer limited to products that were indigenous to the region.

Descriptions of courtship ceremonies reflect some of the most critical links in understanding the function of bestowing objects and gifts in the courtship ceremonies of Atlantic Africans and the diaspora. Accounts reveal the bridal selection was largely a discussion among the suitor (or his representative) and the parents of the prospective bride.⁸⁶ Mungo Park noted that among the Mandinka it was “not considered as absolutely

⁸⁵ Stuckey, *Slave Culture*, 15; Desch Obi, *Fighting for Honor*, 27-29.

⁸⁶ Certain nineteenth century accounts suggest that women or men could propose, as well as the notion that the union was sanctioned by a collection of female elders: “A Glance at Central Africa,” *The Friend: A Religious and Literary Journal* 31 (1858): 179.

necessary that he should make an overture to the girl herself. The first object is to agree with the parents concerning the recompense to be given them for the loss of the company and services of their daughter.”⁸⁷ In most accounts, the prospective groom was required to gain permission from the woman’s parents, and most accounts suggest that the prospective bride remained peripheral to these conversations. In slight contrast, De Marees noted that on the Gold Coast “the father decides for his Son on a Girl he expects to please his son, though the Son has never seen or known her.”⁸⁸ The memoirs of Job ben Solomon, a former slave from Senegambia, validate De Marees’ account in highlighting that the bridegroom’s father was solely responsible for making the request and exchanging gifts, almost completely disregarding the son’s decisions in the matter.⁸⁹ Bosman’s account of the Gold Coast, however, attributes more initiative to the young suitor, contending that within the courtship process “nothing is more requisite than to apply to her Father, mother, or nearest relations.”⁹⁰ The mother’s position in the decision likely depended upon the society, as one account of customs in Loango suggested that gifts were offered to the mother and bride, and if approved, “the marriage was deemed indissoluble”, while a different account revealed that gifts for the mother were more symbolic, as the final decision rested with the father.⁹¹ Firsthand European accounts

⁸⁷ Mungo Park, *The Life and Travels of Mungo Park: Also, an Account of the Progress of African Discovery* (Edinburgh: William and Robert Chambers, 1842), 57.

⁸⁸ De Marees, *Description and Historical Account*, 19.

⁸⁹ Thomas Bluett, *Some Memoirs of the Life of Job, the Son of Solomon, the High Priest of Boonda in Africa; Who was a Slave About Two Years in Maryland; and Afterwards Being Brought to England, was Set Free, and Sent to His Native Land in the Year 1734* (London: Richard Ford, 1734), 40-41.

⁹⁰ Bosman, *A New and Accurate Description of the Coast of Guinea*, 197.

⁹¹ A Society of Gentlemen, *The Critical Review: or, Annals of Literature* (London: A. Hamilton, 1777), 68.

generally agreed that parental permission was paramount to moving the wedding forward, regardless of the bride's personal preference.

In order to secure the parental blessing the male was obligated to present various gifts in exchange for their permission. Europeans typically associated the exchange as a transaction through which the wife was purchased, providing evidence for their assertions that African wives were more akin to slaves or concubines.⁹² British adventurer John Duncan claimed that marriages at the Gold Coast involved the male presenting himself to the woman's father and bargaining "for her as he would a sheep or goat."⁹³ However, African's negotiations were probably not terribly different from those of many European families in the early modern period, in which the status of the suitor's family largely determined the response from the potential bride's parents.⁹⁴ The main distinction was Africans' usage of trade goods in the gift exchange economy instead of the currency that directed most European negotiations.

The presentation of gifts functioned as the initial point of interaction between the families and the receiving party's ratification of the offer was paramount in continuing the negotiations. The gifts presented varied in value, but the items were important for what they represented to both parties. The gifts can be roughly divided into three categories: objects that equaled the woman's value as a laborer, usually in the form of

⁹² For Angola see: A Society of Gentlemen, *The Critical Review*, 68; For Sierra Leone: John Leyden, *A Historical and Philosophical Sketch of the Discoveries and Settlements of the Europeans in Northern & Western Africa, at the Close of the Eighteenth Century* (Edinburgh: J. Moir, 1799), 224. For general statement see: "Africa and Slavery," *American Masonick Record and Albany Saturday Magazine* 3 (April 1829): 93.

⁹³ Duncan, *Travels in Western Africa*, 56.

⁹⁴ Stephanie Coontz, *Marriage, a History: From Obedience to Intimacy or How Love Conquered Marriage* (New York: Viking Penguin, 2005), 123-142.

slaves; products available for physical nourishment and consumption, such as liquor or foodstuffs; and items that denoted social status, popular fashion, or monetary value, such as decorative items and forms of currency. Use of these articles depended upon a number of factors, including the social status of both parties, the availability of particular goods, and the cultural predilections of the region and/or ethnic group.

The offering of slaves in traditional African societies functioned as an important method of assessing the value of the bridal exchange. In some accounts of African courtship slaves were the only items offered, while in others they were given with additional tokens of cloth, shells, or foodstuffs. In John M'Leod's account of Dahomey he revealed their marriages were "settled by the bridegroom paying a certain sum for the woman, which is calculated at the rate of one or more slaves, or movable property in shells, cloth, or other articles, to the amount of the specified number of slaves."⁹⁵ The slaves were used to assess the rate of exchange since the bride's family feared losing the daughter's contributions to the kinship unit through her labor. Since most western African economies were largely dependent upon the domestic production of female agricultural skill, replacing the woman's value was a vital component in gaining their approval to move the nuptials forward. Some potential brides were considered particularly productive, as in one account of Mandinka courtship where the young man offered the value of "two slaves" for his bride.⁹⁶ Slaves also played a crucial role in transferal of the dowry, as French trader Jean Barbot noted in the Gold Coast that after

⁹⁵ John M'Leod, *A Voyage to Africa, With Some Account of the Manners and Customs of the Dahomian People* (London: John Murray, 1820), 49.

⁹⁶ Catherine Hutton, *The Tour of Africa. Containing a Concise Account of All the Countries in the Quarter of the Globe, Hitherto Visited by Europeans; with the Manners and Customs of the Inhabitants* Volume 3 (London: Baldwin, Cradock, and Joy, 1821), 90; Park, *Travels in the Interior of Africa*, 138-139.

the groom's father obtained items from the bride's parents to finance the wedding, "a slave is also given, to serve the woman the groom marries."⁹⁷ The bestowal of slaves was surely contingent upon the status of the family and their ability to provide a body servant for the woman. The exchange of enslaved bodies maintained a critical function in traditional African practice and revealed that the transaction was favorable as each group sought to expand kinship networks and alliances. If the suitor was equipped to offer the specified worth of both the woman's value and the marital ceremony he was determined eligible for continued courtship.

Beyond human chattel, the introduction and expansion of stimulants and foodstuffs throughout Atlantic Africa produced a diverse array of products for bridal exchange, and parental preferences for certain goods evolved as new items became available. In one account from the nineteenth century a potential bridegroom "made presents of rum and tobacco," in turn using two commodities that were introduced through the Atlantic exchange.⁹⁸ In their attempts to display African's inclinations for marrying without meaningful ceremony, it was certainly tempting for Europeans to interpret these gifts as frivolous gestures, but the value of these commodities for African communities should not be underestimated. Africans throughout the Atlantic littoral easily integrated European alcohols and stimulants into their diets and cultural

⁹⁷ Jean Barbot, "Letter 18," in *Barbot on Guinea: The Writings of Jean Barbot on West Africa 1678-1712*, volume 2, eds. P.E.H. Hair, Adam Jones, and Robin Law (London: The Hakluyt Society, 1992), 502.

⁹⁸ Edward J. Wood, *The Wedding Day in All Ages and Countries* (New York: Harper and Brothers Publishers, 1869), 103; Winterbottom, *An Account of the Native Africans*, vol. 1, 145-146. "Brandy" was also mentioned as an item of marital exchange: Hans Christian Monrad, A Description of the Guinea Coast and its Inhabitants," in *Two Views from Christiansborg Castle*, 61; John Adams also discusses coastal preferences concerning spirits and their trade value, see: Adams, *Remarks on the Country*, 42, 260.

worldviews.⁹⁹ European Rum was by and large a much stronger beverage than indigenous palm wine, though the latter beverage remained important due to its value as a tropical drink in a hot climate.¹⁰⁰ The potency of European alcohols provided diversity to indigenous palm wine. While both beverages served their purpose in traditional and recreational usage, the novelty of rum, like other transatlantic commodities, made it attractive to many African ethnic groups. Even among “the poorer classes the man and the woman sometimes live together, without any dowry having been paid, or only a single bottle of rum for the friends to drink upon the occasion.”¹⁰¹ Similarly, the availability of tobacco through the trade increased its usage in African ceremony.¹⁰²

In most cases, the stimulants were given as the initial offering in one’s request for courtship, and the acceptance and subsequent consumption of the products designated the receiving party’s approval of the offerings. European traveler Richard Burton noted that in nineteenth century Dahomey “the aspirant sends to his intended father-in-law’s house a man and woman with two double flasks of rum” and if a favorable reply is returned “the family is informed of the coming event, and the empty flasks are sent back, to signify consent and to grant affiance.”¹⁰³ Returning the empty flasks suggests that acceptance

⁹⁹ Jose Curto, *Enslaving Spirits: The Portuguese-Brazilian Alcohol Trade at Luanda and its Hinterland, c. 1550-1850* (Leiden: Brill Academic Publications, 2004); Linda M. Heywood and John K. Thornton, *Central Africans, Atlantic Creoles, and the Foundation of the Americas, 1585-1660* (Cambridge: Cambridge University Press, 2007), 216-218.

¹⁰⁰ For an early opinion on this idea see Jean Barbot, “Letter 10,” in *Barbot on Guinea: The Writings of Jean Barbot on West Africa 1678-1712*, volume 1, eds. P.E.H. Hair, Adam Jones, and Robin Law (London: The Hakluyt Society, 1992), part one, 125.

¹⁰¹ Cruickshank, *Eighteen Years on the Gold Coast*, 197.

¹⁰² Johannes Postma, *The Dutch in the Atlantic Slave Trade, 1600-1815* (Cambridge: Cambridge University Press, 1990), 76.

¹⁰³ C. W. Newbury, ed., *A Mission to Gelele King of Dahome by Sir Richard Burton* (London: Routledge & Kegan Paul, 1966), 303.

was denoted by consuming the product, which in turn designated approval in continuing courtship and marital negotiation. Items suitable for exchange, however, were not limited to foreign goods. One of the most important indigenous products in the courtship customs of Upper and Lower Guinea involved usage of the indigenous kola nut, a bitter fruit that served as a popular stimulant throughout West Africa.

Due to its high caffeine content European scientists denoted kola “one of the most useful products obtained from Africa,” and recognized its long history in the ritual usage of numerous African ethnic groups.¹⁰⁴ Europeans particularly enjoyed the benefits of chewing the kola nut and noted its extreme bitterness made it an “excellent tonic.”¹⁰⁵ John M’Leod noted that the nut “leaves in the mouth so much of that impression, that a glass of vinegar tastes like sweet wine, and the sourest lemon like a ripe orange.”¹⁰⁶ Historian G. Ugo Nwokeji detailed the utility and function of the kola nut in the ceremonies of ethnic groups in southern Nigeria and the interior Hausa tribes in his analysis on the slave trade from the Bight of Biafra.¹⁰⁷ In Yoruban courtship, for instance, observers noted “when a man desires to marry a girl, his parents visit her parents and make proposals of marriage. If they are accepted, the suitor sends a present of native cloths and kola-nuts.”¹⁰⁸ Barbot claimed that kola trading held a long history of linking

¹⁰⁴ “The Kola Nut,” *Chamber’s Journal of Popular Literature, Science, and Art* 5: 232 (1888): 363.

¹⁰⁵ Duncan, *Travels in Western Africa*, vol. 2, 100.

¹⁰⁶ M’Leod, *A Voyage to Africa*, 21.

¹⁰⁷ G. Ugo Nwokeji, *The Slave Trade and Culture in the Bight of Biafra: An African Society in the Atlantic World* (Cambridge: Cambridge University Press, 2010).

¹⁰⁸ A. B. Ellis, *The Yoruba-Speaking Peoples of the Slave Coast of West Africa: Their Religion, Manners, Customs, Laws, Languages, Etc. with an Appendix Containing a Comparison of the Tshi, Ga, Ewe, and Yoruba Languages* (London: Chapman and Hall, Ltd., 1894), 153.

sub-Saharan Africans with trade networks north of the Sahara, as some of his African associates claimed to have traded kola nuts with North Africans who were “almost white.”¹⁰⁹ Kola nuts were also transported throughout the Atlantic littoral of Upper and Lower Guinea and became particularly popular in Senegambia, Sierra Leone, and the Gold Coast. As early as the 1620s Richard Jobson’s account of the “River Gambia” noted that despite “Gola’s” bitter taste “the water wee drinke presently after, although it be out of the River, shall have a relish like white wine, carrying that sweetnesse, as if it were mixt with suger.”¹¹⁰ In the Gambia, however, kola nuts were typically imported and became rather costly, which may have enhanced their value in those communities.¹¹¹ In “Fetu Country” on the Gold Coast, Lutheran Pastor Willhelm Muller noted that “white kola” was the preferred token and was particularly enjoyed by those “blacks who smoke no tobacco,” as kola could be used as the main ingredient to “make their drink taste better.”¹¹² The ability for the fruit to enhance the flavor of any food subsequently taken made kola a popular food in recreational and ritual usage, and sources suggest that its various colors denoted differing symbols.

In Sierra Leone Winterbottom reported that the color of kola could range from white to a “dark red or purple colour”, and was “always presented to the guests, in visits

¹⁰⁹ Barbot, “Letter 16,” in *Barbot on Guinea*, vol. 1, part one, 188. Earlier in the same letter Barbot also noted rumors that the river Sierra Leone stretched “as far as Barbary, where they have a large trade in the fruit cola,” on page 182. For useful material concerning the history of the kola nut in West Africa see the editors’ descriptive footnote on page 216, fnt 55.

¹¹⁰ Jobson, *The Golden Trade*, 170-171.

¹¹¹ Burton, *Wanderings in West Africa*, vol. 1, 153.

¹¹² Wilhelm Johann Muller’s Description of the Fetu Country, 1662-9,” in *German Sources for West African History 1559-1669*, ed. Adam Jones (Wiesbaden: Franz Steiner Verlag GMBH, 1983), 230. For another reference to use in the gold Coast see Erick Tilleman, *A Short and Simple Account of The Country Guinea and its Nature*, ed. and trans. Selena Axelrod Winsnes (Madison: African Studies Program University of Wisconsin-Madison, 1994), 38.

of ceremony or of friendship...it is a substitute for the olive branch.”¹¹³ Some ethnic groups were designated by the appearance of their lips from the color emitted from extensive chewing of red kola.¹¹⁴ The color of the kola that was offered often determined the intended message. White kola denoted continual friendship and peace, while red kola declared intentions of war. The preference for a white color was likely due to the fact that the potency and flavor of the kola nut was based upon its appearance. White kola designates freshness, while a reddish color suggests the kola has aged causing it to lose much of its astringency. Unsurprisingly, white kola functioned as the primary item in the betrothal process, and consumption of the kola signified the receiving party’s approval. Among the Mandinka “the lover presents a few kola nuts, as an earnest of his part of the bargain, and the parents eat them, in ratification of theirs.”¹¹⁵ Within the inter-African trade physically consumable commodities that were both indigenous and foreign to African agricultural production impacted the socio-cultural landscapes of various societies and increasingly linked ritual enactments throughout Atlantic Africa.

Decorative rings and bracelets, the final items enmeshed within the gift exchange economy, hold particular resonance in how fashion was connected to notions of supply and demand in the transatlantic trade. Decorative rings and bracelets held connotations of social status throughout Atlantic Africa and were linked to displays of wealth during the marital ceremonies as well as holding particular value as items for exchange in the

¹¹³ Winterbottom, *An Account of the Native Africans*, 77. For other references to Sierra Leone see Matthews, *A Voyage to the River Sierra Leone*, 59-60; Rankin, *The White Man’s Grave*, 329.

¹¹⁴ “Otto Frierich Von Der Groeben’s Account of His Voyage to Guinea,” in *Brandenburg Sources for West African History 1680-1700*, Adam Jones, ed. (Stuttgart: Franz Steiner Verlag Wiesbaden GMBH, 1985), 36.

¹¹⁵ Hutton, *The Tour of Africa*, vol. 3, 90.

courtship process. Numerous sources suggest that certain types of rings worn by women indicated status and fashion, as well as her maturation from adolescence to womanhood.¹¹⁶ Bosman noted that when a woman's consent for the marital relation was obtained, the male dressed her in a fashionable "suit of Cloaths, Necklaces and Bracelets."¹¹⁷ European traders noticed the value of these commodities to African societies and developed a commercial system in which they traded brass rings for slaves at West African ports.¹¹⁸ Portuguese traders called them "manillas" or "manilles", and early English accounts sometimes corrupted the translation to read "manellios" or "manilly".¹¹⁹ European and African traders quickly adopted an Atlantic trade vernacular

¹¹⁶ For references to fashion and status see: Bosman, *Description of Guinea*, 121; Burton, *Wanderings in West Africa*, vol. 2, 18, 86-87; Thomas Hutchinson, *Narrative of the Niger, Tshadda, and Binue Exploration, Including A Report on the Position and Prospects of Trade Up Those Rivers with Remarks on the Malaria and Fevers of Western Africa* (London: Longman, Brown, Green, and Longmans, 1855), 105-107; Norris, *Memoirs*, 112. Men were also known to adorn the items: Selena Axelrod Wisnes, ed. and trans., *A Danish Jew in West Africa: Wulff Joseph Wulff Biography and Letters 1836-1842* (Norway: Norwegian University of Science and Technology, 2004), 71; Selena Axelrod Winsnes, ed. and trans., *Letters on West Africa and the Slave Trade: Paul Erdmann Isert's Journey to Guinea and the Caribbean Islands in Columbia (1788)* (Legon-Accra: Sub-Saharan Africa Publishers, 2007), 154-155; M'Leod, *A Voyage to Africa*, 35. For references to the transfer from adolescence to marriageable age see: Cruickshank, *Eighteen Years on the Gold Coast*, 192-193; Francisco Travassos Valdez, *Six Years of a Traveller's Life in Western Africa*, vol. 1 (London: Hurst and Blackett Publishers, 1861), 196-198.

¹¹⁷ Bosman, *Description of Guinea*, 441.

¹¹⁸ Tilleman, *A Short and Simple Account*, 18. De Marees, *Description and Historical Account*, 52-53; Jones, ed., *Olfert Dapper's Description*, 18; James Conget at Fort Cormantine to the East India Company in London, 10 July 1658, with copy Letter 3 July 1658," in *Trade on the Guinea Coast 1657-1666: The Correspondence of the English East India Company*, ed., Margaret Makepeace (Madison: University of Wisconsin African Studies Program, 1991), 14. The rings, however, were not always limited to brass: in "Andreas Josua Ulsheimer's Voyage of 1603-1604," in *German Sources*, 26-27. Also see P.E.H. Hair, *The Atlantic Slave Trade and Black Africa* (Liverpool: Liverpool University Press, 1989), 15.

¹¹⁹ For an early Portuguese note: "The Foundation of the Castle and City of Sao Jorge da Mina," in *Europeans in West Africa, 1450-1560* John William Blake trans. and ed. (Glasgow: The University Press, 1942), 76. For early English accounts: William Towerson, "Voyage to Guinea in 1555" in *A General History and Collection of Voyages and Travels, Arranged in Systematic Order*, vol. 7, Robert Kerr, ed. (Edinburgh: George Ramsay and Company, 1812), 251; Horatio Bridge, *Journal of an African Cruiser: Comprising Sketches of the Canaries, the Cape de Verds, Liberia, Madeira, Sierra Leone, and Other Places of Interest on the West Coast of Africa* (London: Wiley and Putnam, 1845), 106.

largely based upon Portuguese words.¹²⁰ Despite phonetic barriers and difficulties of Anglicizing the term, English traders by the eighteenth century appropriately called these instruments “manilles,” and recognized their usage as trade commodities and currency throughout Atlantic Africa. The 1773 *Encyclopedia Britannica* defined a manille as “a large brass ring in the form of a bracelet...Manilles are the principal commodities which the Europeans carry to the coast of Africa, and exchange with the natives for slaves.”¹²¹ The manilles became so pervasive as a trade good that one slaver who traded on the coast of New Calabar noted believed they were “considered as the money of that Country.”¹²² The notion of “money”, of course, was conceptualized differently by western Europeans and Atlantic Africans. These Africans probably viewed the manille more as an item that fit into their traditional bartering systems. However, the statement strongly suggests that European slave traders contributed to the expansion of the manille’s popularity throughout Atlantic Africa, causing instances of inflation in the value of the manille as a form of currency, as well as contributing to new cultural functions in the cosmologies of many Atlantic African peoples.

¹²⁰ Outside the term “manille”, words like “palaver”, from the Portuguese “palavras”, meaning “word” or “speech, frequently appear in texts written by non-Portuguese speakers, and descriptions suggest that these terms were used by African societies who held prior contact with the Portuguese. For contemporary references to this term see: Matthews, *A Voyage to the River*, 79; M’Leod, *A Voyage to Africa*, 111; Duncan, *Travels in Western Africa*, 111; Thompson, *Palm Land of West Africa*, 127; Samuel Abraham Walker, *Missions in West Africa, Among the Soosoos, Bulloms, &c. Being the First Undertaken by the Church Missionary Society for Africa and the East* (Dublin: William Curry, Jun. and Company, 1845), 20; Rankin, *White Man’s Grave*, vol. 2; Winterbottom, *An Account of Native Africans*, 127.

¹²¹ *Encyclopaedia Britannica, or, a Dictionary of Arts and Sciences, Compiled upon a New Plan. In Which The Different Sciences and Arts are Digested into Distinct Treatises or Systems; and the Various Technical Terms, etc. are Explained as they Occur in the Order of the Alphabet* (London: John Donaldson, 1773), 23; See also *New Complete English Dictionary, Particularly Adapted to the Instruction and Improvement of those who have not had the Benefit of a Learned or Liberal Education, or who have Leisure for Reading a Multitude of Books...* (London: J. Fuller, no date), “manille”.

¹²² “From the Report of the Committee of the Privy Council, 1789,” in *Documents Illustrative of the History of the Slave Trade to America*, volume 2, *The Eighteenth Century* ed. Elizabeth Donnan (Washington, D.C.: Carnegie Institution of Washington, 1931), 598.

How brass rings became symbols of courtship and marriage throughout Atlantic Africa is difficult to pinpoint, but evidence suggests that their cultural value solidified well before the transatlantic era, albeit on a much smaller scale. Islamic traveler Ishaq b. al-Husayn's tenth century account of sub-Saharan Africans outside the Kingdom of Ghana noted that "their country has much gold, but the people there prefer brass to gold. From the brass they make ornaments for their women."¹²³ The novelty of brass in regions filled with gold may have initiated the preference for the metal, and trans-Saharan traders noted this connection long before their Atlantic counterparts. As James Sweet has noted, Iberians and Arabic speakers exchanged knowledge of African civilizations, and Iberians' preconceived notions of West African societies were heavily influenced by Arabic descriptions of Sub-Saharan Africa published in previous centuries.¹²⁴ This intellectual exchange may have prepared Iberian seamen with the necessary cargo as they sought trading partnerships along the Atlantic coastlines of Africa. As early as 1474, a Castilian account of Mina noted that the inhabitants demanded items such as "threadbare clothes...copper mortars, brass candlesticks, and brass manillas."¹²⁵ As opposed to items like candlesticks and clothing, it is important to note that manillas had little utility outside decoration and symbolism. The high demand of such materials reveals how quickly African societies incorporated new objects into their notions of fashion and popular culture, which ultimately included trade commodities in the marital negotiation.

¹²³ "Ibn b. Al-Husayn" in *Corpus of Early Arabic Sources for West African History* J. F. P. Hopkins trans. (Cambridge: Cambridge University Press, 1981), 39.

¹²⁴ James Sweet, "The Iberian Roots of American Racist Thought," *William and Mary Quarterly* 54 (1997): 143-166.

¹²⁵ "A Castilian Account of the Discovery of Mina. Circa 1474," in *Europeans in West Africa*, 206. Also see Stanley B. Alpern, "What Africans Got for their Slaves: A Master List of European Trade Goods," *History in Africa*, 22 (1995): 13.

Africans could, and frequently did, mold their own manilles from various metals, but as Archaeologist Christopher DeCorse argues “the European trade provided a virtually unlimited source of brass, which encouraged the development of brass working in the coastal area.”¹²⁶ Thus, African metalsmiths were certainly capable of manufacturing indigenous brass rings, but the European versions provided a readily accessible supply of instruments that served critical functions in certain West African societies.¹²⁷ In their reports Danish traders noticed that “just as something new appears in the home country now and then, so it is here with the Negroes: when one of them buys something that pleases him, other Negroes also want it.”¹²⁸ In illustrating the functions of supply and demand these same traders remarked upon the frustrating circumstance of being unable to sell “3,536½ lbs of bracelets” on the Gold Coast, but simultaneously expressed optimism that those items were “good merchandize on the Ivory Coast.”¹²⁹ African preference dictated the terms of the transatlantic trade and Europeans were forced to adjust the materials based upon consumer demand. In many respects, a European trader’s saving grace in the Atlantic trade was the differing regional preferences throughout the African littoral.

¹²⁶ Christopher DeCorse, *An Archaeology of Elmina: Africans and Europeans on the Gold Coast, 1400-1900* (Washington, D.C.: Smithsonian Institution Press, 2001), 124 and 145-147.

¹²⁷ African methods of iron smelting and blacksmithing were mentioned by numerous accounts, see: Thompson, *Palm Land of West Africa*, 128-129; Valdez, *Six Years*, 346; Duncan, *Travels in Western Africa*, 131-133; Burton, *Wanderings in West Africa*, vol. 1, 151; “Samuel Brun’s Voyages of 1611-20,” in *German Sources*, 55; DeCorse, *An Archaeology of Elmina*, chaps. 4, 5, & 6.

¹²⁸ “14th January 1684: Governor [Lykke], Frederiksborg, to the Directors of the West India and Guinea Company, Copenhagen,” in *Danish Sources for the History of Ghana 1657- 1754*, volume 1, ed. Ole Justesen, trans. James Manley (Copenhagen: Historisk-filosofiske Skrifter, 2005), 79.

¹²⁹ “27th July 1700: Governor Thrane, Christiansborg, to the Directors of the West India and Guinea Company, Copenhagen. General Letter,” in *Danish Sources*, vol. 1, 116. For similar references see the following pages in the same volume: 115, 209. Brandenburg traders faced a similar occurrence in which the entire cargo of bracelets could not be sold: “1682-83: Otto Friedrich von der Groeben’s account of his voyage to Guinea,” in *Brandenburg Sources*, 36.

The manilles used by Europeans typically came from Northern Europe, but it was also not uncommon for them to use versions manufactured in the “Congo/Angola region from local copper ore.”¹³⁰ Manille trade and manufacture was wrapped within an extensive Atlantic trading network based upon producers and consumers, and both Europeans and Africans could fall into either category. The cultural value of these items in regions where they held greater novelty was likely exacerbated by the transatlantic slave trade. As noted, Africans engaged in fluid cultures that were far more willing to integrate foreign symbols and deities into their cultural expressions, rendering instances of cultural “creolization” in the diaspora not particularly surprising. In certain places the manilles held cosmological value, as among groups in Sierra Leone who laid “brass rings” at the shrines of their deities.¹³¹ Ethnographic fieldwork revealed that brass rings became so important to mythologies in the Niger Delta they were connected to supernatural entities that fraternized with humans:

Tales of the water people often describe their realm as amply furnished with brass-work; and women who claim to have been taken as wives by the water people sometimes produce as evidence a brass manila...they say was given them by their spirit husbands.¹³²

In this description, the brass ring was material evidence of marriage, even when the husband was considered a supernatural entity. The notion that the supernatural realm held brasswork might have been inspired by the fact that British colonials sought to stamp out the manille’s use as a currency in the early twentieth century through banning their

¹³⁰ Alpern, “What Africans Got for their Slaves,” 13. Miller, *Way of Death*, 56.

¹³¹ Matthews, *A Voyage to the River*, 65-66.

¹³² Robin Horton, “A Note of Recent Finds of Brasswork in the Niger Delta,” *Odu* 2 (1965): 72.

further importation into Nigeria. The cultural importance of the manille in Nigerian societies likely instigated nostalgia for brass rings in these oral histories. While continued ceremonial usage of brass rings was far more difficult after the colonial ban, their importance remained active in the memories of those familiar with the ring's cultural importance. Africans ensnared in the transatlantic slave trade might have felt a similar loss when attempting to reenact rituals of their homeland.

The impact of manille importation held continual influence in numerous African cultures, and anthropological field research in the early twentieth century found that these objects were still used during ceremonial occasions like puberty and marriage.¹³³ European travel accounts reveal that decorative rings featured prominently in connection with courtship and marital processes throughout West and West Central African societies and many of these descriptions bear striking resemblance to the instruments used by the enslaved Africans of Brickell's aforementioned account. In various parts of western Africa courtship rings could vary in size to fit different body parts, such as legs, arms, or piercings on the face. Pieter De Marees remarked that married women "wear little rings in their ears of Brass or Pewter...and around the lower part of their legs they wear red and yellow Copper rings," while unmarried girls wore iron bracelets.¹³⁴ "Red" Copper is pure copper, while "yellow" copper is the form of copper mixed with Zinc that produces brass. Different West African societies preferred certain metals, and they were

¹³³ R. Grey and S. George, "Manillas," *Nigerian Field*, 16 (1951): 63-65; P. Amaury Talbot, *Life in Southern Nigeria: The Magic, Beliefs, and Customs of the Ibibio Tribe* (1923; London: Taylor and Francis, 1967), 139-140, 199.

¹³⁴ Marees, *Description and Historical Account*, 38.

particularly keen in distinguishing between them.¹³⁵ In nineteenth-century Senegambia, Francisco Valdez remarked that after gaining the father's permission, the Mandinka male "sends to his intended a copper ring, and then dispatches a formal message to the father's relations and friends."¹³⁶ In this unique scenario, the object goes directly to the potential bride as a token of affinity, followed by the more formal negotiations conducted with her kin.

If a society desired brass, they typically remained committed to its cultural value. Oftentimes these cultural preferences flew in the face of the European notion that certain precious metals held higher value in terms of currency. The natives of Allakoo who traded at Bonny in the early nineteenth century were called the "brass country negroes," due to their preference for items manufactured from the metal.¹³⁷ Among interior communities of West Central Africa, brass rings resonated deeply in cultural expressions of courtship. Brass rods were the primary form of currency throughout Upper and Lower Congo, and John Weeks noted "the brass wire for these rods was originally melted down for their brass ornaments—anklets, necklaces, armlets, leg rings, hafts of spears, paddles, and handles of knives, etc. It was using the brass for this purpose that first gave it any real value to them."¹³⁸ Among many of these communities betrothals for women were pre-pubescent arrangements, in which the older male "takes a brass bracelet, and in the

¹³⁵ Eugenia W. Herbert, "Aspects of the Use of Copper in Pre-Colonial West Africa." *The Journal of African History* 14 (1973): 179-194.

¹³⁶ Valdez, *Six Years*, vol. 1, 198.

¹³⁷ Adams, *Remarks on the Country*, 122.

¹³⁸ John Weeks, *Among Congo Cannibals: Experiences, Impressions, and Adventures During the Thirty Years' Sojourn Amongst the Boloki and Other Congo Tribes with a Description of their Curious Habits, Customs, Religion, & Laws* (London: Seeley, Service & Co. Limited, 1913), 39.

presence of witnesses he puts it on the child's arm, saying, 'This is my wife.'"¹³⁹ Upon her arrival at a marriageable age, the male bestowed her parents with an additional gift and the union was considered complete. In many respects, the cultural worth of the gift was more significant than the monetary assessment. While the male (or one of his older relatives) was obligated to confer items that "equaled" his bride's value as a laborer, such as cattle, slaves, or some form of currency, the gestures of legitimate courtship were significantly determined by items that designated passage from adolescence to adulthood. His initial presentation and ritualistic offering of gifts like brass rings determined his advancement in the marital process. The male's ability to accumulate wealth and property were paramount to securing his ability to engage in marital negotiations, and these circumstances held particularly important connotations for the structure of the domestic relationship.

Ascertaining Inequality in the Domestic Relation

The combined notions of bridal purchase, adolescent marriage, and the polygynous relationship were sometimes used by white commentators to compare the equality of the sexes as they existed in Europe and Africa. In his travels throughout Sierra Leone in 1792 physician Thomas Winterbottom claimed "the female sex does not hold in Africa that distinguished rank in society which it happily enjoys in Europe."¹⁴⁰ While they certainly exaggerated the gender equality of their own societies, these ideas were important for maintaining the status quo of Euro-Christian moral superiority, a concept

¹³⁹ Weeks, *Among Congo Cannibals*, 122.

¹⁴⁰ Winterbottom, *An Account of the Native Africans*, 144.

that was often used to advance the idea that slavery was ultimately for the benefit of African peoples since it introduced them to the civil and religious mores of the western world. In certain respects, the narratives of West Africans taken into the slave trade agreed with the Eurocentric contention of gender inequality. Mahommah Baquaqua's narrative of nineteenth century Djougou in modern Benin contended that "A man's property is sometimes estimated by the number of wives he has... The women in Africa are considered very inferior to the men, and are consequently held in the most degrading subjection."¹⁴¹ Olaudah Equiano agreed, citing experiences in which husbands determined to put their wives to death for adultery and were not obligated by the same constancy of fidelity that they expected from their wives.¹⁴² In the mentalities of most Europeans polygyny became synonymous with notions of barbarity, domestic inequality, and promiscuity.

The ramifications of these beliefs undertook racial connotations as enslaved men and women were sent into locations throughout the Americas that generally did not foster stable marital relations. Scholars should be careful in romanticizing the domestic relationships of men and women throughout Atlantic Africa; as historian Claire Robertson argues, we must pay attention to the fact that a "patriarchal ideology that stigmatized women as 'other'...was widespread in Africa...[and] We have had to discard romantic notions of egalitarian precolonial Africa."¹⁴³ Ultimately, scholars must

¹⁴¹Mahommah Gardo Baquaqua, *Biography of Mahommah G. Baquaqua, a Native of Zoogoo, in the Interior of Africa* (Detroit: Geo. E. Pomeroy & Company, 1854), 21.

¹⁴² Equiano, *The Interesting Narrative*, vol. I, 7-8.

¹⁴³ Robertson, "Africa into the Americas?" in *More than Chattel*, 12. A similar statement was made by renowned French scholar Catherine Coquery-Vidrovitch in her essay "Women, Marriage, and Slavery in Nineteenth-Century Black Africa during the Precolonial Period," in *From Chains to Bonds: The Slave Trade Revisited*, ed. Doudou Diene (New York: Berghan Books, 2001), 11.

recognize that polygyny was a patriarchal system that preserved authoritative power within a small collection of elite men. While Edna G. Bay notes that ambitious women were able to climb the social ladder in the early periods of the Kingdom of Dahomey, and other scholars provide evidence that women attained important positions in trade relations with Europeans in the Senegambia region and West Central Africa, the available sources typically suggest that the vast majority of women throughout Atlantic African societies were relegated to a subservient position, as manifested in the aforementioned instructions given to the bride and groom in the wedding observed by Thomas Hutchinson.¹⁴⁴ Even the fabled Amazons of Dahomey, a group of elite female warriors who captivated the minds of many European travelers in the eighteenth and nineteenth centuries, claimed their social statuses by inverting their gender. The popular adage for these female warriors was their appropriation of a masculine identity. According to European explorer Frederick Forbes, their primary claim was repeated as “we are men...not women...what the males do, the amazons will endeavor to surpass.”¹⁴⁵ Thus, assuming masculinity, or a male-centered identity, provided greater opportunity for social advancement and autonomy in traditional African societies connected to the transatlantic slave trade.

¹⁴⁴ Edna G. Bay, *Wives of the Leopard: Gender, Politics, and Culture in the Kingdom of Dahomey* (Charlottesville: University Press of Virginia, 1998). James Searing discusses the roles of *signares* in his work *West African Slavery and Atlantic Commerce: The Senegal River Valley* (Cambridge: Cambridge University Press, 2003), 93-128. Thornton and Heywood discuss the political power and savviness of Queen Njinga of the Kingdom of Kongo during Portuguese colonization in Heywood and Thornton, *Central Africans*, especially chaps. 2 and 3.

¹⁴⁵ F.E. Forbes, *Dahomey and the Dahomans: Being the Journals of Two Missions to the King of Dahomey and Residence at his Capital in the Years 1849 and 1850*, volume 1 (1851; republished London: Frank Cass & Co., Ltd., 1966), 23.

Europeans' general suppositions about gender inequity throughout Africa typically came from individual opinions that were promoted as the rule for Africa as a whole. For example, when F. Harrison Rankin observed an African man strike his wife for disobedience he concluded that "despotism over the gentler sex is an attribute of the African."¹⁴⁶ While this assertion was an unfair attempt in promoting a racist theory that Africans were inherently prone toward aggression and violence, the rules that governed Africans' domestic relations from the seventeenth to the nineteenth centuries were significantly different from modern ideas based upon western mores. Even African novelist Chinua Achebe's work *Things Fall Apart*, set in nineteenth century Nigeria, portrays the protagonist Okonkwo as prone to beat his wives for infractions like forgetting to prepare his meals. The only time Okonkwo is forced to repent for this behavior is when he beat his youngest wife, Ojiugo, during the week of peace.¹⁴⁷ In nineteenth-century Dahomey, explorer John M'Leod noted that wives approached "their husbands with every mark of the humblest submission" when serving food, suggesting that what might be considered a minor infraction in modern society was a major offense according to the contemporary gender positions.¹⁴⁸

European explorer Mary H. Kingsley noted that while women were often punished with physical violence, a set of rules governed its severity. If the husband drew even a little blood "his wife is off to her relations, the present he has given for her is

¹⁴⁶ Rankin, *The White Man's Grave*, vol. 2, 221. Wife beating is also mentioned in Kingsley, *Travels in West Africa*, 212.

¹⁴⁷ Chinua Achebe, *Things Fall Apart* (1958; New York: Anchor Books, 1994), see chapters 3 and 4.

¹⁴⁸ M'Leod, *A Voyage to Africa*, 50.

returned, the marriage is annulled, and she can re-marry as soon as she is able.”¹⁴⁹

Similarly, Winterbottom noted “in the case of ill-usage from her husband, the woman, if free and of a powerful family, may call a palaver, and be separated from him.”¹⁵⁰ The divorce requirements throughout Atlantic Africa usually favored the woman who could flee her abuser and return to her kinship network that was then obligated to protect her and collect the dowry she brought to the marriage. Additionally, French trader Jean Durand noted that women were protected even if they were turned out of their husband’s home. For if the man decided to send her away he was obligated to relinquish everything she brought to the home.¹⁵¹ In many respects the authoritative rule of the masculine-centric household was balanced by the risk of a woman parting with her husband at his own expense. Europeans noted that women throughout Africa were particularly subservient when compared to the “mutinous wife” of a European, but the favorable divorce customs that defined African matrimony suggest that such terms were fixed only because the women agreed to them.¹⁵² As noted above, unlike the European dowry that favored the male, the African bridewealth actually served as an insurance policy that allowed women an opportunity to flee an abusive relationship and the husband could be reimbursed through a return of his original payment. While the marital relation should not be romanticized as an egalitarian institution, one should also not misrepresent the complexity of the domestic relationship as it existed from both male and female perspectives.

¹⁴⁹ Kingsley, *Travels in West Africa*, 225.

¹⁵⁰ Winterbottom, *An Account of the Native Africans*, 146.

¹⁵¹ Durand, *A Voyage to Senegal*, 105.

¹⁵² Quote in M’Leod, *A Voyage to Africa*, 50.

The position of women within many of the Atlantic African societies holds important connotations for their treatment in the domestic realm. While one should always remain cautious of biases expressed in European accounts regarding the inferior positions of married African women, the sources are balanced by accounts of the resistance displayed by African wives, and the high degree of love and devotion that African men displayed toward their spouses. Brodie Cruickshank noticed that the African male rushed “into battle, shouting the name of his lady-love to inspire him to deeds of daring; [and] the canoeman gives additional vigour to the stroke of his paddle at the mention of her name.”¹⁵³ The affection the man held for his wife penetrated each of his daily activities.

In the face of a potentially tyrannical husband, examples also abound of women asserting their positions in the marriage. The head-wife, or the first wife married to the man, was positioned to exercise the most authority over her sister wives within the polygamous relationship. The first wife was called “the chief woman, to whom the House-keeping and command over all the rest is entrusted.”¹⁵⁴ The remaining women, however, exercised little authority. Thus, wives were stratified internally by the patriarchal order, but examples exist that the wives collectively used strength in numbers to contend against the husband’s wishes. European explorer Mary H. Kingsley noted one example where a chief attempted to dispose of two of his three wives so he could convert to Christianity, but “the ladies held together; not one of them would marry him and let the

¹⁵³ Cruickshank, *Eighteen Years*, vol. 2, 207. It was also noticed by some that Africans held a deep and abiding respect for their mothers and the elderly, see Winterbottom, *An Account of the Native Africans*, 211-212.

¹⁵⁴ Bosman, *Description of Guinea*, 199.

other two go.”¹⁵⁵ The collective resistance provided these women opportunity to curtail the authority of the patriarch, though it should always be considered that they may have done so at some expense.

Wives could also contend against the husband individually. Former North American slave Venture Smith recollected that when his mother, the head wife, discovered that her husband married a third woman without first gaining her consent she promptly gathered her four children to flee to her native land. Smith supposed that they travelled a distance of 140 miles, and he was lodged at a caretaker’s house for over a year before his parents reconciled.¹⁵⁶ In eighteenth-century Sierra Leone it was found that if a woman believed her husband was ignoring her she reserved the privilege of putting his favorite mistress into “mourning” or isolation. The husband then, who felt deprived of this woman’s company, provided peace offerings in the form of food or liquor to the wife that issued the complaint, upon which the favored mistress was returned to him. Explorer John Mathews noted this was a favorite tactic among the “elderly wives to preserve some degree of consequence” with their husbands.¹⁵⁷ The aging women doubtless felt a need to compete for affection within a polygamous relationship that grew through the husband’s accumulation of women at childbearing age. Thus, collective resistance among the sister wives was an option, but many women understood that individual opportunities were most effective in maintaining their own positions within the relationship.

¹⁵⁵ Kingsley, *Travels in West Africa*, 213.

¹⁵⁶ Venture Smith, *A Narrative of the Life and Adventures of Venture, a Native of Africa: But Resident above Sixty Years in the United States of America. Related by Himself* (New-London: C. Holt, 1798), 8.

¹⁵⁷ Mathews, *A Voyage to the River Sierra Leone*, 104.

Conclusion

This analysis of the intricate associations within the domestic relationship, alongside the examination of how Atlantic African matrimonial practices were culturally evolving, provides useful groundwork for uncovering how the loss of kinship associated with the Middle Passage influenced the development of diasporic African cultures throughout the Atlantic world. The most pertinent element to consider is that African communities were already changing as they were influenced through new commodities available through the transatlantic exchange. The core principles of Atlantic African marriage, however, remained the same. For instance, the circle remained an important feature of the wedding ceremony; a man's social status was largely determined through his accumulation of wealth and wives; courtship was predicated upon the interests of the potential bride's parents; the marriage ceremony was highly eventful for the majority of ethnic groups; and the value of exchange items that included food, stimulants, textiles, and precious metals figured significantly into courtship negotiations. While it was no doubt difficult to retain all of these features in the marriages of the diasporic communities, understanding their cultural value in the ancestral homeland helps scholars understand the extent to which slave communities sought to recreate or re-imagine these cultural practices in the early periods of Atlantic slavery. Forming new alliances and communities was a critical factor of psychological survival for enslaved people, and marriage remained a key figure in brokering these relationships.

Far from conceding their marital rites immediately, evidence in the diaspora suggests that the initial generations of Africans and their New World descendants attempted to remake their ancestral wedding customs despite the enforced diaspora.

Historian Ras Michael Brown shows that West-Central African forms of spirit worship remained influential among groups of diasporic Africans, and while cultural change was inevitable over time, this does not mean that African-descended peoples surrendered their distinctive cultural worldviews under the force of European and Euro-American exploitation.¹⁵⁸ Duplicating the complex marital rituals that defined traditional customs in Atlantic Africa was nearly impossible under slavery, but elements of these cultural worldviews are featured in various early ceremonies recorded by perplexed European observers. Of course, a slave's location could be a significant factor in their cultural trajectory, as locations with relatively small slave populations like Bermuda or Missouri would probably be more attune with European-based customs than those of Jamaica or the South Carolina lowcountry. However, even as "creole" slaves began adopting European-based customs, such as the Christian ceremony or the popular folk custom of jumping the broomstick, the cultural significance of the rituals remained distinct from the Eurocentric emphases and something entirely unique to the slave communities that used them. Exploring these ritual links that were transferred and reimagined within the unique legislative system that defined Anglophone slave societies provides evidence in further articulating the complexity of cultural change within oppressive environments. Thus, tracing the long trajectory of marriage rites from Africa to the Americas is a useful contribution to the historiography in countering the traditional narratives that view

¹⁵⁸ Ras Michael Brown's work on "simbi" worship in Kongo-Angola and the Carolina lowcountry figures as one of the most recent additions in the school that argues for viewing slave cultures through African and Afro-diasporic dimensions, rather than simply beginning in slavery. For a detailed explanation of his position in reference to the historiography of slave culture see Brown, *African Atlantic Cultures*, 2012), 1-32. Brown is engaging in a similar school of thought as numerous Africanists who place Africa as the starting point for analyses of slave culture, and listing every source would be exhaustive, but for two essays that track this historiography effectively see Childs, "Slave Culture," 170-186; Dawson, "Slave Culture," 465-484.

slaves' recreation of African rites as simply a form of resistance or their induction of European customs as a sign of cultural surrender.

CHAPTER 2

AN IRREGULAR UNION: EXAMINING THE BRITISH PRECEDENTS OF SLAVE MARRIAGE IN THE ANGLOPHONE ATLANTIC

In 1823, a play called *The Runaway Bride, or The Marriage Act Repealed* satirized the short-lived New Marriage Act of 1822 through verse, as one character sang:

My heart is so thumping and jumping, the height of my transport cannot be
concealed;/ My bosom runs over with gladness, the new marriage act is repeal'd/
Then let us be merry and cheary, Since good things oft follow the bad/ Each
laddie shall have his own lassie, Each lassie shall have her own lad./ Let me see--I
should like to be married, Whenever I enter fifteen;/ If our parsons at home will
reject me, I'll e'en take a trip to the green./Long life to our noble lawgivers, for the
wound which they made they have heal'd/ To emancipate thousands of lovers, the
new marriage act they repealed.¹⁵⁹

The verse depicts one character celebrating the demise of a marriage law that most perceived as being excessively regulatory. The “unnecessary and vexatious” law of 1822 had overturned a number of sections in the previous Act of 1753, a law that reigned as the standard for English matrimony for nearly seven decades. Among other things, the 1822 Act required a register of baptism to demonstrate proof of the couple’s age, parental

¹⁵⁹ A. MacLaren, *The Runaway Bride; or, The New Marriage Act Repealed. A Farce. With Songs*. (London: A. Macpherson, 1823), in the British Library.

consent shown in writing and signed in the presence of two witnesses, and a more stringent process for obtaining banns.¹⁶⁰ The Act was short-lived, however, as it was replaced temporarily by a reinstatement of the 1753 Marriage Act, which, in only a few short months, was replaced by the Marriage Act of 1823. This series of legislative changes saw the inclusion of three different marital acts passed in only two years. The consequences of this legislative indecisiveness meant that “marriages prior to 22 July 1822 were governed by the 1753 Act...Marriages celebrated between 22 July 1822 and 26 March 1823 were governed by the 1822 Act, while marriages after that date were governed by the 1753 Act.”¹⁶¹ This confusion over matrimonial law was reflective of the disconnections between the legislators and the general population. It was evident that English authorities were attempting to clamp down upon marriages that challenged the authority of either parents or local leaders, but the aforementioned selection from playwright A. MacLaren suggests that significant resistance among the youth characterized many of the failures of the marital system.

The critical tone of the above selection displays the spirit of opposition to marital legislation the general populace expressed toward legislators regulating who they could marry, and at what age they were eligible to enter the institution. For instance, the character expresses that they will marry at fifteen, an age that would have been considered quite young (even by the standards of the new law of 1823), and if the parson rejected their attempt they would simply head north directly across the Scottish border and marry at a town called “Gretna Green” (called “the green” in the text). Gretna Green

¹⁶⁰ Probert, *Marriage Law and Practice*, 308.

¹⁶¹ Probert, *Marriage Law and Practice*, 308-309.

was one of the first towns on a main road directly over the Scottish border, and became distinguished in the minds of many English youth as a destination for the performance of clandestine marriage. As Scotland subscribed to different marriage laws than England, many young couples who disobeyed parental restrictions on their spousal choices fled to the Scottish border to solidify their nuptials.¹⁶²

A. MacLaren was no stranger to using his plays to criticize the British marital laws of the early nineteenth century, and he previously released other productions that depicted how society responded to English marital legislation. Unsurprisingly, his productions were quite critical of the restrictive nature of the marriage laws.¹⁶³ These satires are useful as historical sources in that they reflected popular notions of British marriage. In legislation throughout the United Kingdom marriage functioned as a method for social control in attempting to require the population to conform to certain matrimonial standards. In England specifically, the ideal was a legally-sanctioned church wedding, while the bare minimum was a ceremony performed by a parson who held civil authority. Legislation throughout the eighteenth and nineteenth centuries was geared toward eliminating marriages that were considered “irregular,” meaning that they were

¹⁶² In Scotland marriage was available to men as young as fourteen and women as young as twelve. Scotland’s marriage laws remained separate from England throughout the period of discussion, but this analysis does factor it into the discussion for the purposes of showing how marriage customs illustrate the relationship between Scottish and English relations in the eighteenth and nineteenth centuries. For further discussion on Scottish marriage law see: T.C. Smout, “Scottish Marriage, Regular and Irregular, 1500-1940,” *Marriage and Society*, ed. R.B. Outhwaite (New York: St. Martin’s Press, 1981), 204-236; Sexual Mores and Attitudes in Enlightenment Scotland,” *Sexuality in Eighteenth-Century Britain*, ed. Paul-Gabriel Bouce (Manchester: Manchester University Press, 1982), 47-73; Kenneth M. Boyd, *Scottish Church Attitudes to Sex, Marriage and the Family, 1850-1914* (Edinburgh: John Donald Publishers, 1980); Leah Leneman and Rosalind Mitchison, “Clandestine Marriage in the Scottish Cities 1660-1780,” *Journal of Social History*, 26 (1993): 845-861.

¹⁶³ For one play that was produced one year prior see A. MacLaren, *The New Marriage Act; or, Look before you Leap. A Dramatic Piece. With Songs* (London: A. Macpherson, 1822), in the British Library.

usually communal celebrations performed outside the legal parameters of the nation-state. Oftentimes, rural communities were the primary culprits in performing these ceremonies, but large industrial cities like London also witnessed a number of such ceremonies usually sanctioned by charlatans who posed as legally-sanctioned ministers to accumulate monetary gain. Since many of these working-class populations left behind few documents, it can be rather difficult to reconstruct the ceremonies they used, or what they thought about them. However, while the documentary records of common folk throughout Britain are scarce, utilizing a source base that combines plays and folklore with the writings of elite members of society, it is possible to examine the relationship between British laws and traditions alongside the actual practices of different ethnic groups in England and throughout the British Isles.

The marital laws and folk practices that existed in the early modern British Isles would hold significant impact upon the cultural and legal trajectories of the Atlantic colonies, and providing an examination of these developments in the mother country helps contextualize their meanings to the diasporic European and African populations who would appropriate them. This chapter analyzes English marriage patterns and practices from legal, cultural, and social perspectives to assess the degree they set precedents for, and impacted, the marriage practices of the Anglophone Atlantic world. In particular, it analyzes English marital law as it would have related to the populations both in England (and Wales) through the eighteenth and nineteenth centuries. As will be seen, these developments established damaging precedents for enslaved people throughout Britain's Atlantic colonies.

Firstly, this chapter begins with a discussion of how marriage was viewed through the legislative and religious spheres of English society, and what problems they were primarily concerned with eliminating from the populous. Much of this centralizes within why the Marriage Act of 1753 was passed, and explores why it was repealed by the Marriage Acts of 1822 and 1823. The next section turns toward a pertinent historiographical debate regarding the matrimonial folk customs of oppressed and ostracized communities that lived throughout Britain, particularly emphasizing the unique custom called “jumping the broom”. Focusing upon the matrimonial folk traditions of British gypsies, Celts, and common Anglo-Saxons this segment analyzes the cultural precedents that would hold significant impact upon the practices of both slaves and poor whites in North America. The next segment places Hardwicke’s 1753 Marriage Act within an Atlantic perspective, assessing the degree to which it impacted colonial legislation and African slaves in particular. The chapter then concludes with a brief analysis of how blackness was conceived in the English imagination, and how the rising tide of abolitionism appealed to English sensibilities of slavery and marriage. Thus, this chapter serves as an introduction for understanding the development of marital legislation in the colonies while providing new insights in the historiographical trajectory of English (and British) marriage.

To maintain a level of clarity throughout this chapter I will use the terms “England” and “Britain” in specific contexts. Despite their unification with England in the early eighteenth century, Scotland maintained distinct marriage laws that were more favorable to clandestine marriages in both cities and the rural hinterland. Scottish authorities were typically less concerned with enforcing a ceremonial conformity, and

focused more upon protecting their society against cases of desertion and bigamy.¹⁶⁴ As Scotland's marriage laws differed from those of England and Wales I am careful to note that the marriage laws that influenced the colonies are more appropriately dubbed "English" rather than "British", since the English laws did not define the legal actions of all territories that became "Great Britain" in the early eighteenth century. When referring to the empire or the Anglo-Atlantic world, however, I will use the term British due to the notion that a "British Empire" had formed by the time of the Act of Union in 1707. This distinction is necessary because I am discussing these legislative processes differently than past scholarship.

British Marriage Laws and Culture

The historiography of English marital law and practice is rather dense, as scholars have explored the legal and social intricacies of how legislative power was used to standardize the social practices of society and ensure that power stayed within a specific unit of people at the expense of others.¹⁶⁵ Much of the scholarship focuses upon the

¹⁶⁴ Leneman and Mitchison, "Clandestine Marriage," 861.

¹⁶⁵ While he did not "invent" family history in England, the works of Lawrence Stone are typically the places that historians begin when viewing the historiography of early modern English family and marriage laws, see Lawrence Stone, *The Family, Sex, and Marriage in England 1500-1800* (London: HarperCollins Publishers, 1977). While his ambitious primary source research was lauded by historians and social scientists, subsequent works have reacted to his predominant focus upon the gentry, questionable research methodology, and lack of attention to the more complex notions of gender and sexuality that permeated English marital patterns. For a list of the most noteworthy subsequent works see Ralph Houlbrooke *The English Family 1450-1700* (London: Longman, 1984); A. Macfarlane, "Review of Stone, *Family, Sex and Marriage in England*," *History and Theory*, 18 (1979), 110-11, 125; A. Macfarlane, *Marriage and Love in England: Modes of Reproduction, 1300-1840* (Oxford: Oxford University Press, 1986); John R. Gillis, *For Better, For Worse: British Marriages, 1600 to the Present* (Oxford: Oxford University press, 1985); Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987); Roy Porter and Lesley Hall, *The Facts of Life: The Creation of Sexual Knowledge in Britain, 1650-1950* (New Haven: Yale University Press, 1995), part 1.

impact of the Marriage Act of 1753, also known as Lord Hardwicke's Marriage Act (named for its creator) and most popularly called the Clandestine Marriages Act of 1753. At one point scholars more or less unanimously believed that this marriage act was a watershed moment in the history of English marriage legislation. Most argued it was the first concerted effort in cracking down against the near-ubiquitous trend among young people and the common folk to skirt the authority of their elders and the Anglican church and haphazardly marry whomever they pleased.¹⁶⁶ However, a number of well-researched publications from British legal scholar Rebecca Probert question these past conclusions by contending the marriage act "should be seen as part of a gradual progression towards regularity and formality rather than an abrupt shift in the regulation of marriage."¹⁶⁷ By separating law from actual practice, Probert argues the church and legislative body were actually quite affective in curtailing the ambitions of rebellious youth and nonconformists prior to the law's passage. The ideals of English marriage had sought to regulate matrimonial conformity prior to the mid-eighteenth century and continued to do so after 1753. Most past analyses, however, have placed sole emphasis upon the internal issues of the Marriage Act within the British Isles. In many respects, there is no entirely "wrong"

¹⁶⁶ Lawrence Stone, *Road to Divorce* (Oxford: Oxford University Press, 1990), 124; David Lemmings, "Marriage and the Law in the Eighteenth Century: Hardwicke's Marriage Act of 1753," *The Historical Journal* 39 (1996): 339-360; Eve Tavor Bannet, "The Marriage Act of 1753: 'A Most Cruel Law for the Fair Sex,'" *Eighteenth Century Studies* 30 (1997): 233-254. For quantitative analyses of the rise of infertility after the acts passage see Belinda Meteyard, "Illegitimacy and Marriage in Eighteenth-Century England," *Journal of Interdisciplinary History*, 10 (1980): 479-489; Jona Schellekens, "Courtship, the Clandestine Marriage Act, and Illegitimate Fertility in England," *The Journal of Interdisciplinary History* 25 (1995): 433-444. For an analysis that does not only stress the legal positions see Erica Harth, "The Virtue of Love: Lord Hardwicke's Marriage Act," *Cultural Critique*, 9 (1988): 123-154.

¹⁶⁷ The quote is from Rebecca Probert, "The Impact of the Marriage Act of 1753: Was it Really 'A Most Cruel Law for the Fair Sex'?" *Eighteenth-Century Studies*, 38 (2005): 258. For her other publications upon this subject see Probert, *Marriage Law and Practice*; Probert, "Control over Marriage in England and Wales, 1753-1823: The Clandestine Marriages Act of 1753 in Context," *Law and History Review* 27 (Summer 2009): 413-450.

answer concerning the significance of the 1753 Marriage Act. The Act's ratification certainly was a seminal moment, as it held a tight grip on English marital legislation for seven decades and prompted specific changes that were never previously legislated. However, I agree with Probert that marriage was always enforced and legally manipulated to institute societal conformity, the only difference being the methods of enforcement that were used prior to the Act. This chapter analyzes the 1753 Marriage Act from both perspectives, but slightly contrasts with the previous scholarship by building upon the recent work of Lyndon Dominique who analyzes British ideas of marriage and race through literature. I am specifically interested in investigating the repercussions this marriage act held for slaves of African descent who populated the colonies throughout the eighteenth and nineteenth centuries.¹⁶⁸ Placing the Marriage Act in a transatlantic context helps scholars comprehend the development (or lack thereof) of marriage legislation dealing with the enslaved majorities in the sugar islands.

In the Protestant tradition marriage was deemed a virtuous and holy institution within which all of God's children partook. While Catholicism elevated marriage to a sacrament, the notion that Catholics considered celibacy a higher standard of living was amplified by the fact that it was predominantly practiced by church leadership and many noteworthy martyrs. Protestant churches largely rejected this as a sanctimonious notion of a corrupt Church. While the Anglican practices remained doctrinally much closer to Catholicism than many of its counterparts, they did adjust their notions of clerical

¹⁶⁸ Lyndon J. Dominique, *Imoinda's Shade: Marriage and the African Woman in Eighteenth Century British Literature, 1759-1808* (Columbus: The Ohio State University Press, 2012). While Dominique's chronological range falls outside the passage of the act, she makes a number of pertinent comments upon how the Marriage Act allotted significant authority to colonial slave owners in dictating how, or if, their slaves married according to British standards.

celibacy to allow priests to marry if they chose. The official document for Anglican theology *The Book of Common Prayer* defined marriage in 1718 as “an honorable estate, instituted of God...signifying unto us the mystical union, that is betwixt Christ and his Church.”¹⁶⁹ Marriage symbolically represented the relationship of Christ and the church, in which they became one in spiritual matters.

In English society married men were commonly regarded more highly than their bachelor counterparts. In 1771, one publication noted that “if a married man of probity and virtue be in deprest circumstances, every humane heart feels for him, every liberal hand is ready to support him.” In contrast the same publication continued “A bachelor in the same situation is a kind of detached object, much less regarded; people scarce make the just allowances for the errors of a conduct which cannot, with decency, support a single solitary being.”¹⁷⁰ The statement suggests that marriage was regarded as the normative state in society. The very notion of a “spinster”, or an aging single woman, in English society also denoted an anomaly. Even in the nineteenth century work *Pride and Prejudice*, Jane Austen illustrated the relief and satisfaction of the Lucas family when they found that their oldest daughter Charlotte became engaged to Mr. Collins, described as “an unattractive bore who had but a week previously offered his heart and hand to Charlotte’s best friend.”¹⁷¹ A bachelor certainly did not face the same stigmatization as a

¹⁶⁹*The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church* (John Basket, 1718), section 19.

¹⁷⁰ F. Douglas, *Reflections on Celibacy and Marriage: Considerations on the Causes of the Present Stagnation of Matrimony* (New York: Garland Publishing Company, Inc., 1984), 22.

¹⁷¹ Quote from Willystine Goodsell *A History of Marriage and the Family* (New York: The Macmillan Company, 1934), 351.

spinster, but both quotes suggest that those who were of marriageable age that remained single were societally abnormal.

While Church ceremonies remained a preferred method of marriage, English law spanning nearly one hundred years prior to the 1753 Marriage Act declared that a union was legal if a man and woman expressed their commitment to one another by words expressed in the present tense.¹⁷² English legislators and ecclesiastical leaders believed that such lax regulations led to numerous problems in ensuring that the contracting party received appropriate instruction prior to engaging in the act of matrimony. Too much freedom for the contracting parties made the governing body's demands for societal conformity far more difficult to accomplish. English legislators had certainly instigated matrimonial conformity prior to Hardwicke's Act, but such legislative actions were either short lived or governmental authorities simply did not follow through.¹⁷³ Prior to Hardwicke's Act, English marital culture in the sixteenth and seventeenth centuries was largely based upon tradition. Scholars suggest that most English citizens appear to have conformed to the traditional standard of a church wedding. Historian David Cressy argues that during these periods the "Church of England was largely successful in its campaign to control the ceremonies of family formation."¹⁷⁴ The Elizabethan and early Stuart dynasties triggered periods of strict cultural discipline, but the seventeenth century

¹⁷² Outhwaite, *Clandestine Marriage*, 75-97.

¹⁷³ For one example see Dorothy McLaren's article "The Marriage Act of 1653: Its Influence on the Parish Registers," *Population Studies*, 28 (1974): 319-327. McLaren argues that the 1653 Act was actually relatively successful, but the article is useful in displaying that despite the success the Act attained, it ultimately lapsed in 1660, giving it a life of only seven years, the information of which is found on page 320.

¹⁷⁴ David Cressy, *Birth, Marriage, and Death: Ritual, Religion, and the Life-Cycle in Tudor Stuart England* (Oxford: Oxford University Press, 1997), 316.

revolutions and rise of nonconformity began to derail the Church's hold upon matrimonial performance.

Heavily influential were the treatises of the social compact promoted by John Locke. As marriage was a form of social contract, Locke used it for an analogy in his political discourse by using the relationship between a man and woman who contracted a marriage in reference to the relationship a monarch shared with the people. Locke's notions were born from the political debates that emerged from the English Civil War, the Restoration, and the Glorious Revolution. While the Parliamentary forces of the Civil War and Restoration periods attempted to analogize marriage with government, they still fell prey to the typical perception that the woman was the weaker party in the contractual agreement, and typically surrendered most of her rights once they entered the marital institution. According to Political Scientist Mary Shanley, those Parliamentarians who wrote prior to Locke made some strides in using the marital contract to demonstrate the reciprocal relationship that ideally existed between royalty and their subjects, but their "adherence to a patriarchal conception of marriage left it to Locke to carry the implications of the contractarian image of marriage to their logical conclusions."¹⁷⁵ While Locke did not completely abandon notions of male supremacy he did promote the idea that a man and woman could enter into the marital state with a set of established terms that both mutually agreed upon. However, the institution could never be completely egalitarian as one of the members of the party was obligated to hold the final decision. Unsurprisingly, Locke deferred to the male in this regard.¹⁷⁶ The distinction that most

¹⁷⁵ Mary Lyndon Shanley, "Marriage Contract and Social Contract in Seventeenth Century English Political Thought," *The Western Political Quarterly*, 32 (1979): 79-91.

¹⁷⁶ John Locke, *Two Treatises on Government* (1694; republished in London: R. Butler, 1821), 256.

separated Locke from his predecessors was his willingness to move beyond a biblical outlook in favor of natural law theory. This was a radical maneuver that helped him qualify the notion that dominion ultimately rested with a physically stronger sex, as he submitted that men and women who were both free and equal held the same natural rights in the state of nature. While Locke's ideas did not gain solid footing until much later in English/British history, his attempts at solving these theoretical dilemmas reveal the important position that marriage held in English society in the late seventeenth and early-eighteenth centuries.

Despite the notion that England was always concerned with promoting a certain marital standard, one still must consider the notion that English marital legislation underwent profound changes in the mid-eighteenth century. In the eyes of the public, the passing of Lord Hardwicke's Marriage Act in 1753 dealt a decisive blow toward the rampant problem dubbed "clandestine marriage". According to contemporary commentator Henry Galley, clandestine marriages were generally defined as being "rash marriages; made without any calm Thoughts or deliberation; and are the Effects of some sudden Passions, and perhaps of the Heat of Wine."¹⁷⁷ In contextualizing the marital forms of the mid-eighteenth century, Probert identifies three different appellations for marriage that depended upon the actions of the couple. "Regular marriage" was the new standard that complied with all the newly legislative formalities; "clandestine marriages" were usually celebrated in front of priest who held no legitimate authority to perform the union; and "contract marriage" or what might be called "irregular marriage," were

¹⁷⁷ Henry Gally, *Some Considerations upon Clandestine Marriages* (London: J. Hughs, 1750), 12.

ceremonies where a priest was not present.¹⁷⁸ The essential difference between the regular ceremony and the latter two forms rested in the public display of the ceremony, which became one of the quintessential points that validated marriage under Hardwicke's Act. According to Eve Tavor Bannet, the Marriage Act of 1753 introduced five new requirements to the marriage contract not previously required, as it required that the couple publish banns or a license; gain parental permission if they were minors; hold the ceremony before witnesses; have the ceremony performed by an authorized clergyman; and have the event recorded in a marriage register.¹⁷⁹

Within this point it became apparent that the 1753 Marriage Act sought to restrict matrimonial folk practices that were performed outside governmental and ecclesiastical surveillance. Legislators and ecclesiastical leaders feared that ceremonies performed outside their notice would curtail a significant component of their societal control, as marital legislation served the function of designating citizenship and social acceptance in the nation-state. By the mid-eighteenth century discussions of marriage were tied to notions of political economy and socioeconomic utility. In one example it was believed that the elimination of clandestine marriages would curtail the frequency of polygamous marriage. In English tradition polygamy was an institution that served no moral or practical advantages,. In many respects, this helps explain the general curiosity that British sailors expressed when confronted with African societies who based their economies upon the idea of polygamous marriages and the complex web of kinship

¹⁷⁸ Probert, "The Impact of the Marriage Act of 1753," 249. The term "irregular marriage" is not used in Probert's analysis, but I use it here for illustrative purposes that explain the last section of this chapter.

¹⁷⁹ Bannet, "The Marriage Act of 1753," 233.

networks formed through social alliances.¹⁸⁰ Of course, English forms of polygamy were usually whimsical instances of a man who clandestinely married multiple women and fathered children with each of them. Such occurrences presented various problems within the strictly monogamous standards of Christian society, as it posed difficulty in deciding which of the man's numerous heirs were legitimate. Contemporary legal scholars argued that prior to the 1753 Marriage Act a man could theoretically establish numerous relationships simultaneously, as the only requirements for legitimating the union was the mutual consent of both parties. Cases were cited of women who were duped by husbands who they found married other women, fathered children, and selected the other family as his heirs.¹⁸¹

Alongside the objectives of these legislated measures was to promote the civility and moral superiority of English ceremony to the people. In the foreword to one noteworthy work on comparative marriage practices in the nineteenth century, the writer proclaimed "the ladies that read this book, will find sufficient reasons to the Providence, that they were born in so good-natured an Island as ours is, where the preliminaries to Marriage are nothing so morose and severe, as they are in some places of the World."¹⁸²

¹⁸⁰ For a few secondary sources that are useful in examining how British scholars have dealt with the issue of polygamy in England and the British isles from the early twentieth century to the present see: Dennis Fitzpatrick, "Non-Christian Marriage," *Journal of the Society of Comparative Legislation*, 2 (1900): 359-387; G. W. Bartholomew, "Polygamous Marriages and English Criminal Law," *The Modern Law Review*, 17 (1954): 344-359; Bernard Capp, "Bigamous Marriage in Early Modern England," *Historical Journal*, 52 (2009): 537-556; David J. Cox, "'Trying to Get a Good One': Bigamy Offences in England and Wales, 1850-1950," *Plymouth Law and Criminal Justice Review* (2012): 1-32.

¹⁸¹ Rev. Robert Lynam, *The Works of William Paley, D.D., Archdeacon of Carlisle*, volume 1, *Evidences of Christianity; Moral and Political Philosophy* (London: Henry Fisher, Son, and P. Jackson, 1828), 115-117.

¹⁸² Louis de Gaya, *Matrimonial Ceremonies Displayed: Wherein are Exhibited the Various Customs, Odd Pranks, Whimsical Tricks and Surprising Practices of Near One Hundred Different Kingdoms and People in the World, Now Used in Celebration and Consummation of Matrimony* (London: Privately Printed, 1880), 6.

Eliminating popular folk customs like “jumping the broomstick” that persisted amongst British gypsies, Celts, and poor Anglo-Saxons would help secure the civilization schemes of the legislature and ecclesiastical body. These forms of “irregular unions” potentially provided venues to subvert societal standards. Marital legislation became wrapped within the power of both church and state, as eighteenth-century commentators argued “that Society may require Marriages to be performed in a certain Form and Manner; and may refuse to those, who do not conform to them, the Advantages, which it grants to those who do conform to them.”¹⁸³ Such statements cause one to wonder why marriage ceremony and governmental sanction became more intensely intertwined at this particular moment in mid-eighteenth century British law.

One of the primary complaints toward clandestine marriages included the risk of being married by individuals who claimed ecclesiastical and civil authority, but were in reality seeking to increase their financial situation by performing a false ceremony after collecting the couple’s payment. For this reason, contemporary lawmakers largely supported the 1753 Marriage Act because they believed it curtailed the actions of charlatan ministers. Wilmarth Lewis’ 1776 travel journal noted that the legislation helped “put an end to the clandestine marriages celebrated in the Fleet and elsewhere by disreputable parsons who performed the ceremony without a license.”¹⁸⁴ The “Fleet” designated the Fleet Prison of London, a popular destination for couples seeking clandestine marriages. Historian Roger Brown calculated that between 1694 and 1754,

¹⁸³ Gally, “Some Considerations upon Clandestine Marriages,” 8.

¹⁸⁴ Wilmarth Lewis, *Three Tours Through London In the Years 1748—1776—1797* (New Haven: Yale University Press, 1941), 58.

“between two and three hundred thousand marriages were solemnized within the Fleet Prison.”¹⁸⁵ The Fleet, of course, was not the only destination for clandestine marriages. Contemporary documents and modern secondary sources reveal that these ceremonies were performed in many regions throughout Britain before and after 1753.¹⁸⁶ It is difficult to assess the impact that the new legislation actually held for British communities. Various scholarly works suggests that rural and nomadic groups’ marital practices were never subject to one brand of ceremony, as some had already been marrying in legally sanctioned church services, while others continued to marry according to folk customs.¹⁸⁷ Despite their abilities to choose their ceremony without severe legal punishment, those who chose to forego the ecclesiastical and legal recommendations were subject to the social degradation of elite discourses.

As with many societies, eighteenth and nineteenth century British marital culture was stratified along class and ethnic lines. Sociologist Stephanie Coontz notes, “with the

¹⁸⁵ Roger Lee Brown, “The Rise and Fall of the Fleet Marriages,” in *Marriage and Society: Studies in the Social History of Marriage*, ed. R. B. Outhwaite (London: Europa Publications Limited, 1981), 117. Also see the author’s recently published M.A. Thesis: Roger Brown, *The Fleet Marriages: A History of Clandestine Marriages with Particular Reference to the Marriages Performed in and Around the Fleet Prison, London* (Cardiff: Tair Eglwys Press, 2007). For sources on “Fleet Marriages” published closer to the eighteenth century see: John Southerden Burn, *The Fleet Registers: Comprising the History of Fleet Marriages and some Account of the Parsons and Marriage-House Keepers, with Extracts from the Registers: To Which are Added Notices of the May Fair, mint, and Savoy Chapels and An Appendix Relating to Parochial Registration* (London, Rivingtons, 1833); John Ashton, *The Fleet, its River, Prison and Marriages* (London, T. Fischer Unwin, 1889).

¹⁸⁶ For secondary sources see: E. A. Wrigley, “Clandestine Marriage in Tetbury n the late 17th Century,” *Local Population Studies*, 10 (1973): 15-21; Leneman and Mitchison, “Clandestine Marriage in the Scottish Cities,” 845-861; Roger Brown, “Clandestine Marriages in Wales,” *Journal of the Historical Society of the Church in Wales*, 25 (1976): 66-71. For select primary sources see: *A Representation of the Prejudices that May Arise in Time from an Intended Act Concerning Marriages &c.* (London: Robert Clavell, 1692), Thomas Salmon, *A Critical Essay Concerning Marriage* (London, Charles Rivington, 1724), 14-15; 179, 207-208.

¹⁸⁷ Cressy, *Birth, Marriage, and Death*, 316-376; Samuel Pyeatt Menefee, *Wives for Sale: An Ethnographic Study of British Popular Divorce* (New York: St. Martin’s Press, 1981), 1-30; Gillis, *For Better, For Worse*; Probert, *Marriage Law and Practice*.

growth of inequality in society, the definition of an acceptable marriage narrowed.”¹⁸⁸

Communities throughout Britain that did not conform to English cultural standards were repeatedly caricatured and ridiculed through written tracts and drawings. Those groups who performed irregular marriages were considered outside the cultural norm, as revealed in the opening statements of the 1753 Marriage Act: “Whereas great Mischiefs and Inconveniencies have arisen from Clandestine Marriages; for preventing thereof for the future, be it enacted by the King’s most excellent Majesty...[that] all Banns of Matrimony shall be published in an audible Manner in the Parish Church, or in some Publick Chapel...the Marriage shall be solemnized in one of the Parish Churches or Chapels where such Banns have been published, and in no other place whatsoever.”¹⁸⁹

The specific “inconveniences” were not immediately defined, but one could surmise that the ecclesiastical and governmental bodies believed their authority was being challenged by those who chose to forego a legally and religiously recognized union. As it existed simultaneously in both religious and secular worlds, legislating marital practice served the dual purpose of ensuring moral conformity as well as social control.

“Jumping the Broom” in Britain

In many respects, the 1753 Act is a rather lengthy, and at times redundant, diatribe that repeatedly maintained ecclesiastical officials were to supervise all marriages conducted after 1753. The law ensured that ecclesiastical and governmental surveillance

¹⁸⁸ Coontz, *Marriage, a History*, 44-45.

¹⁸⁹ The 1753 Marriage Act used here was reproduced by R. B. Outhwaite and is located in Appendix 2 of his work *Clandestine Marriage in England*. Hereafter it will read as “1753 Marriage Act” in Outhwaite, *Clandestine Marriage*.

of matrimonial performance was more efficient.¹⁹⁰ After the legislation commenced, various commentators weighed in on the issue. Interestingly, one anonymous pamphleteer actually produced one of the earliest references to the popular performance of broomstick ceremonies in response to the action. After discussing the popular beliefs of “Marriage in Law and also in the common language of the Kingdom,” the pamphleteer argued:

In some countries the same convention between Males and Females is accompanied with the Ceremonial of jumping over a stick; but if in England a Couple were to interchange promises of perpetual fidelity, Cohabitation, and good offices ratified by the like Ceremony, and then going to bed together, were gravely to expect to be called Husband and Wife by their Acquaintance, they would be looked upon as out of their Wits.¹⁹¹

The inclusion of the word “ceremonial” at the beginning of this selection is important since phrases describing broomstick weddings (i.e. “to jump the broom”) can often be confused with colloquial expressions for common law marriage. Displaying the triumph of “England’s” marital legislation, the commentator explains that while marriages like “jumping over the broomstick” might be tolerated in other countries, ecclesiastical and legislative restrictions after 1753 invalidated these common law unions. To be sure, this individual was likely very detached from working-class life and the continuance of rural

¹⁹⁰ Commentaries upon this are available in the following primary sources: Henry Stebbing, *A Dissertation on the Power of States to Deny Civil Protection to the Marriages of Minors Made without the Consent of their Parents or Guardians. In Which The Opinion of Baron Puffendorf upon that Subject is Examined* (London: C. Davis, 1755); Gally, *Some Considerations*.

¹⁹¹ *A Letter to the Public: Containing the Substance of what hath been offered in the late Debates upon the Subject of the Act of Parliament, for the better preventing of Clandestine Marriages* (London, Charles Marsh, 1753), 36-37.

cultural traditions. The important component of this selection is in its revelation that broomstick ceremonies were known to exist in eighteenth-century Britain, and that Hardwicke's 1753 Marriage Act was likely leveled, at least in part, toward these types of irregular ceremonies.

British folk communities typically performed the marriage ritual in both informal and private settings. The ritual of stepping over objects to seal a marital union was one of the most widespread methods of folk marriage in many of these communities. The customs took various forms and usually varied according to individual and group preferences. In rural England, for instance, a bride was "jumped over the Petting Stone" laid outside the chapel upon the conclusion of a church ceremony.¹⁹² The fact that the couple leaped over the object after the church wedding reveals that folk traditions resonated within these communities even after Christian ritual practices were introduced into their societies. In another example, a traveler in Ireland recorded a legend that told of a man who found a woman alive inside a coffin floating at sea, and upon rescuing her they initiated a short, but symbolically rich marriage ceremony: "He took the stranger to his house and gave her food and drink. Then he made a great cross on the ground, and clasping hands with the woman, jumped over the arms of the cross, going in the same direction as the sun. This was the form of marriage in that land."¹⁹³ In this scenario the Irishman recalled pagan traditions that focused upon the movements of the sun, and blended his ancestral cosmology with the ritualistic brand of Christianity practiced by Irish Catholics in the eighteenth and nineteenth centuries.

¹⁹² W. Crooke, "The Lifting of the Bride," *Folklore* 13, no. 3 (1902): 228. Also see: E.M. Guest, "Pre-Christian Survivals in Connection with Crosses in the North of England," *Folklore* 52, no. 3 (1941): 225.

¹⁹³ Jeremiah Curtin, *Myths and Folklore of Ireland* (1890; republished by Charleston, SC: Forgotten Books, 2007), 97.

While these aforementioned descriptions suggest that different items could be used through improvisation, broomsticks are the objects most often referenced in the British folk traditions. Late nineteenth- and early twentieth-century travel accounts and field research commonly pointed to rural, nomadic, or ostracized British communities as the main perpetrators of the ceremony. In the 1880s, Rev. Elias Owen wrote that the custom of “jumping over a besom [broom]” was “spoken of in many parts of North Wales, and, when properly attested...[is] supposed to have been considered valid.”¹⁹⁴ During the early twentieth century, folklorist T. Gwynn Jones used Welsh sources ranging from the eighteenth to twentieth centuries to argue that the popular Welsh phrase for an irregular marriage “priodas coes ysgub” was appropriately translated “broomstick wedding.”¹⁹⁵ Folklorists also recorded the unique broomstick marriages of the Welsh-Romani (a sub-group of British gypsies) in international newspapers, journals, and travel accounts.¹⁹⁶ Even noteworthy British novelist Charles Dickens wrote that broomstick

¹⁹⁴ Rev. Elias Owen, *Old Stone Crosses of the Vale of Clwyd and Neighbouring Parishes, Together with Some Account of the Ancient Manners and Customs and Legendary Lore Connected with the Parishes* (London: Bernard Quaritsh, 1886), 62-63.

¹⁹⁵ T. Gwynn Jones, *Welsh Folklore and Folk Custom* (1930; Totowa, NJ: Rowman and Littlefield, 1979), 185.

¹⁹⁶ M. Eileen Lyster, “Marriage over the Broomstick,” *Journal of the Gypsy Lore Society*, 5 (1911-1912): 199-201. For other references to the folkloric ceremonies of the British gypsies see: John Ashton, *Florizel’s Folly* (London: Chatto and Windus, 1899), 91-92; T. W. Thompson, “The Ceremonial Customs of British Gypsies” *Folklore*, 26 (1913): 337-338; “Odd Customs of British Gypsies,” *The Breckenridge News* June 19, 1912, p. 2; “Odd Customs of the British Gypsies,” *The Chicago Defender*, 1 June 1912, 8; “Odd Customs of the British Gypsies,” *The Caldwell Watchman*, June 7, 1912, 4; Claudius Buchanan Patten, *England as Seen by an American Banker: Notes of a Pedestrian Tour* (Boston: D. Lithrop and Company, 1936), 18; Brian Vesey-Fitzgerald, *Gypsies of Britain: An Introduction to their History* (1944; Great Britain: Redwood Press Lmt., 1973), 20-21; Eldra Jarman and A. O. H. Jarman, *The Welsh Gypsies: Children of Abram Wood* (Cardiff: University of Wales Press, 1991), 22.

weddings took place at “beer-shops”, and used the colloquial expression to describe an “irregular marriage” in his novel *Great Expectations*.¹⁹⁷

The selection of the broomstick as the preferred matrimonial object among British folk communities is rather enigmatic. If British churchmen commented upon the ritual, they typically concluded it held origins in the ancient period. In 1825, Rev. Thomas Dudley Fosbroke connected the tradition to the proscriptions of Roman mathematician Pythagoras when he wrote “it was a superstition of the Romans not to step over brooms. Hence perhaps the irony of the phrase for an illicit connexion.”¹⁹⁸ Fosbroke surmised that the colloquial expression “jump the broomstick” was possibly connected to the ancient belief, though he does not elaborate upon Pythagoras’ reason for the warning. The broomstick’s attachment to the feminine domestic sphere was certainly one factor, as it was popular in Welsh communities to jump over a broomstick placed at the threshold of the couple’s new home.¹⁹⁹ Despite the Church of England’s disapproval of clandestine marriages, many rural British communities used their isolation to preserve folk customs potentially at odds with Christian orthodoxy. This continuation of folk customs and oral

¹⁹⁷ Charles Dickens, *The Household Narrative of Current Events* (London: Office Street 16, Wellington North, 1850), 40; Charles Dickens, *Great Expectations* (1861; Boston: Estes and Lauriat, 1881), 336. An “irregular marriage” was any marital union that fell outside the legal parameters of British legislation, see: Leonard Shelford, *A Practical Treatise of the Law of Marriage and Divorce; Containing also the Mode of Proceeding on Divorces in the Ecclesiastical Courts and in Parliament; The Right to the Custody of Children; Voluntary Separation Between Husband and Wife; and the Husband’s Liability to Wife’s Debts; and the Conflict Between the Laws of England and Scotland Respecting Divorce and Legitimacy* (Philadelphia: John S. Littell, 1841), 43.

¹⁹⁸ Thomas Dudley Fosbroke, *Encyclopaedia of Antiquities, and Elements of Archaeology, Classical and Mediaeval*, vol. 2 (London: John Nichols and Son, 1825), 527. For the ancient reference see William W. Goodwin, Ed., *Plutarch’s Essays and Miscellanies: Comprising All his Works Collected Under the Title of “Morals,” Translated from the Greek by Several Hands* (Boston: Little, Brown, and Company, 1906), 263; Leonid Zhmud, *Pythagoras and the Early Pythagoreans* (1994; First English Edition Oxford: Oxford University Press, 2012), 178.

¹⁹⁹ Gwenith Gwynn (W. Rhys Jones), “‘Besom Wedding’ in the Ceiriog Valley,” *Folklore*, 39 (1928): 152-155.

histories secured the ritual practice in the memories of the descendant communities who ventured outside their homelands across the Atlantic Ocean.

In the early twentieth century folklorist W. Rhys Jones recorded oral histories of “besom weddings” among a Welsh community in North Wales:

A birch besom was placed aslant in the open doorway of a house, with the head of the besom on the doorstone, and the top of the handle on the door post. Then the young man jumped over it first into the house, and afterwards the young woman in the same way. This jumping was not recognised a marriage if either of the two touched the besom in jumping, or, by accident, removed it from its place. It was necessary to jump in the presence of witnesses too... By jumping backwards over the besom the marriage was broken. The wife had the right to jump back, too. But this step had to be taken by either within the first year. Both of them were, afterwards, free to marry again.²⁰⁰

From this selection two noticeable features emerge. The couple first places the broom at the doorstep that signifies the location they will spend their domestic lives. If the marital state was not satisfactory Jones reveals that divorce was an option for either participant. A simple reversal of the original action qualified as a legitimate separation. An interesting component was the level of choice obtained by the wife who could instigate a rapid divorce if the union proved unsatisfactory. In earlier centuries “adultery was the only acceptable reason for separation,” and even by the Victorian era divorces were hard

²⁰⁰ Gwynn (Jones), “‘Besom Wedding’,” 154-155.

to come by except through Private Acts of Parliament, which were very expensive.²⁰¹ Perhaps it is more than coincidental that after the 1753 Act passed through Parliament Robert Nugent declared it would “discourage marriage of the poorer sort...by this act they will be prevented from doing it without great deliberation, many will not do it at all.”²⁰² What Nugent meant by “marriage”, of course, was the institution recognized by law, but rural British communities defined marriage on their own terms and were usually more interested in the community’s sanction of the union. In many respects this folk tradition of the rural poor provided for the security of both poor men and women to leave an unhappy marriage free of the worry associated with financial difficulties. In addition to the more liberal method of divorce, the Welsh variant also claimed the ceremony could be led by an elderly “married woman,” which served to completely invert the traditional structural authority throughout Britain.²⁰³

The notion of a married woman serving as the officiant was certainly influential in inspiring a series of woodcuts that mocked the passage of the 1822 Marriage Act. One particular image depicted an elderly woman encouraging a couple to jump over a broomstick. In CUT III “Marrying over the Broomstick” the artist James Catnach caricatured the practice of jumping the broomstick by providing the inverse of an

²⁰¹ Kathleen M. Davies, “Continuity and Change in Literary Advice on Marriage,” *Marriage and Society*, 74; “Marriage and Divorce.” *Victorian Britain, An Encyclopedia* (New York: Garland Publishing, INC. 1988); “Divorce.” *The 1890’s, An Encyclopedia of British Literature, Art, and Culture* (New York: Garland Publishing, INC. 1993). For a more general examination of civil marriage in Victorian England and Wales see Olive Anderson, “The Incidence of Civil Marriage in Victorian England and Wales,” *Past & Present*, no. 69 (1975): 50-87.

²⁰² *The Debates and the Proceedings of the British house of Commons during the Third Fourth and Fifth Sessions of the Third Parliament of his Late Majesty George II*, vol. 5 (London: Almon, 1766), 99; Dominique, *Imoinda’s Shade*, 33.

²⁰³ Gwynn (Jones), “Besom Wedding,” 157.

acceptable matrimonial practice. The sketch depicts a wedding party in which a man assisted his bride over the broomstick that he previously crossed. The ceremony was directed by an elderly woman who is displayed with a black cat upon her shoulder. The inclusion of the cat likely served as an artistic method to connect the elderly woman with witchcraft. Presenting the elderly woman as a witch enhanced the ceremony's reputation as a subversive force, as it depicted the ceremony in opposition to an acceptable form of Christian matrimony. The elderly witch also enhanced the notion that such ceremonies were performed by populations residing on the outskirts of civilization. In portraying a female elder as the primary officiant the artist challenged the community's claims to patriarchy, which was a notion that defined Britain's Christian ideals.²⁰⁴

Despite the seriousness with which these communities viewed these rituals, many publications and governmental propaganda presented these customs as symbols of cultural inferiority or for personal attacks. Scotland's position as a borderland region that enticed young couples to perform clandestine marriages in the early nineteenth century activated its associations with the broomstick ceremony. Add this to the general enmity that existed between the two nations, and it becomes apparent how this association was developed. A picture drawn in the late eighteenth century titled "A Scotch Wedding" portrayed a noble couple jumping over a broomstick in their bedroom while an elderly woman played bagpipes.²⁰⁵ One of the more interesting points to consider for this image is the dress of the participants. In contrast to the typical description of common folk, the

²⁰⁴ For a succinct analysis of the connection between women and witchcraft in the early modern period see Edward Bever, "Witchcraft, Female Aggression, and Power in the Early Modern Community," *Journal of Social History* 35 (2002): 955-988.

²⁰⁵ The drawing was originally released in 1789, and subsequently republished in the following edited collection of eighteenth-century caricatures: George Paston, *Social Caricature in the Eighteenth Century* (1905; New York: Benjamin Blom, 1968), 29.

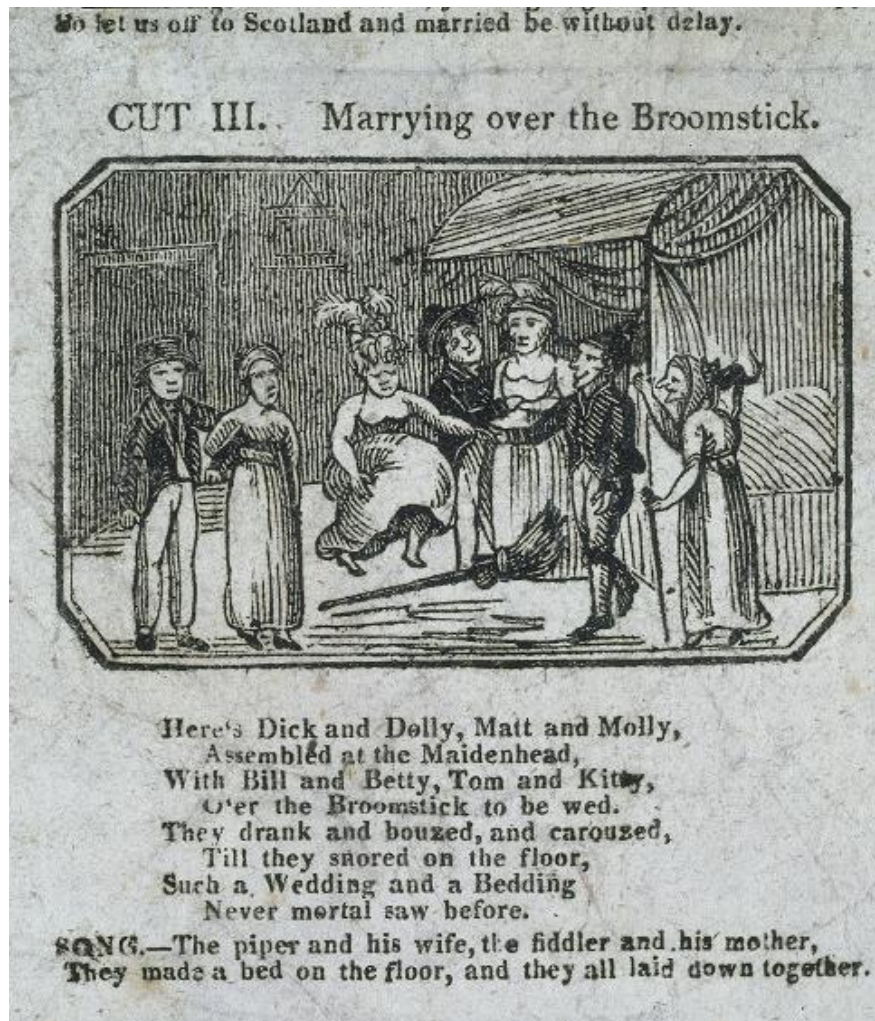


FIGURE 2.1 “Marrying Over the Broomstick”; Originally published in James Catchnach, *The New Marriage Act* (London, 1822). Image reproduced by Imagestate Media Partners Ltd.

couple in this image is dressed in noble garb. The fact that the artist dubbed the picture a “Scotch Wedding” serves to reemphasize the ethnic distinction between Scottish peoples and their Anglo-Saxon counterparts, despite the uniting of the Scottish and English crowns in 1603 under James I of England, and the formation of a “Great Britain” in 1707 that united the Scottish and English parliaments. The artist responsible for the drawing was James Gillray, an Englishman famous for social caricatures.

The individuals represented in the image were identified as the Duke of Richmond and Lady Anne Gordon. It is unclear why the artist decided to attack these two figures, but looking closer at the image reveals the primary meaning behind it. The Duke of Richmond was Scottish, and the artist was likely trying to convey the appellation of inferiority upon the person of Celtic descent, despite his noble birth. Additionally, the fact that this was a marriage performed in a bedroom with bagpipes played by the bride's mother suggests that Gillray was also depicting the ceremony's association with socially peripheral populations.²⁰⁶ While the image was primarily a political tool intended to mock the Duke, it is interesting that the artist chose to place an elderly woman in the front of the ceremony. This representation was surely intended to highlight the degenerate structure of those societies, or individuals, who forewent the Christian format led by a male priest and instead leaped over broomsticks led by elderly women. The caricature also appears to use the broomstick wedding as an idiom to demonstrate the continuous enmity that existed between the English and Scottish, in turn rehearsing the idea of a superior Anglo culture over the Scottish Celts. No matter how privileged within the realm of politics, one could not escape their ethnic distinction.

It is important to note that, for English lawmakers, the Scottish border represented everything that contrasted with marital normalcy. In the nineteenth century specifically, the Scottish border town "Gretna Green" was a destination for couples seeking to marry without parental approval, as Samuel Menefee argues: "Since Scottish law required only a witnessed declaration of intent to marry, it held obvious appeal for lovers barred under

²⁰⁶ Image was obtained from Paston, *Social Caricature in the Eighteenth Century*, 29. Copies were done by the author.



THE SCOTCH WEDDING

In Holland's Exhibition Rooms may be seen the largest Collection in Europe of Humorous Prints. Admittance, one shilling

FIGURE 2.2 “The Scotch Wedding”; Drawing was extracted from George Paston, *Social Caricature in the Eighteenth Century* (1905; New York: Benjamin Blom, 1968), 29.

more restrictive English code.”²⁰⁷ While it is difficult to calculate how often couples actually eloped to the Scottish border, popular depictions of Gretna Green in the nineteenth century suggest its status as a destination for elopement. Gretna Green was prominently featured in the same series of woodcuts released after the short-lived 1822

²⁰⁷ Menefee, *Wives for Sale*, 11. Also see Outhwaite, *Clandestine Marriage in England*, 132-134. Of the Scottish borderlands, John Gillis argues that prior to 1857 Scottish weddings were attractive options to English “ordinary folk” in the North and West of England who desired a cheap and quick wedding ceremony, since Scottish marriage laws were not subject to the restrictions of Lord Hardwicke’s Marriage Act: “Under Scottish law any vow made before witnesses constituted legal marriage. As in England and Wales before 1754, people could just as well have done this for themselves, but they preferred to pay a few shillings to have it witnessed and registered by one of the motley collections of “priests” who set up shop at places like Coldstream Bridge, Lamberton Toll, and, of course, Gretna Green,” *For Better, For Worse*, 195. While Rebecca Probert notes that the amount of elopements performed in Gretna Green has likely been exaggerated, she does note that it was viewed as a wedding destination for clandestine marriages in popular imagination, *Marriage Law and Practice*, 265.

Marriage Act, but Cut VI, entitled *Arrival at Gretna---Old Vulcan the Parson*, is one of the more descriptive caricatures of Gretna Green's atmosphere:

Here's courting, dancing, fiddling, piping,
Whiskey drinking, smoking, fighting.
O come to Gretna-Green, my fair,
Lovely Fanny, charming Fanny
And there's a blacksmith to his trade,
Has lots of happy lovers made
When surely parents won't agree
For folks to wed like you and me,
Let such with speed to Gretna go,
For there no Marriage Acts they know
No parson Clerg[y], or justice there
Can with our Marriage interfere
But twelvecence and our tongues will buy,
what with our teeth we can't untie.²⁰⁸

The folksong illuminates popular conceptions of the benefits of marrying outside the Kingdoms of England and Wales. In Gretna Green, it was popularly believed that Marriage Acts were nonexistent, blacksmiths held authority to perform ceremonies, and for twelve pence (along with a mutual affirmation of love) a couple was considered married in the eyes of the law.

British Celts, however, were not the only populations to use the broomstick custom, and it became particularly popular among one nomadic group that was legally ostracized from the rights of British citizenship. In examining how this custom penetrated various marginalized groups throughout the British Isles, this section also provides an account of a British gypsy wedding documented by V.S. Morwood:

²⁰⁸ The Marriage Act of 1822, by James Catnatch. British Library 74/ 1875 d.8 Miscellaneous Collections of Broadside Ballads.

Two rows of gypsies with about twelve or fifteen in each row...standing face to face, being between four and six feet apart. Halfway down between these rows two gypsies held up a broom-stick about eighteen inches above the ground...In obedience to the chief's command he [the groom] came from a tent at one side of the encampment, walked between the rows of gypsies, stepped over the broomstick, turned around, and then stood with his arms akimbo waiting the arrival of his intended wife...She also walked between the two rows of gypsies, tripped very lightly over the broomstick, which she had no sooner done than the young gypsy man took her in his arms and completed the ceremony.²⁰⁹

The nomadic lifestyle of the British gypsies required them to be particularly innovative in how they celebrated certain rites of passage. Indeed, historian David Mayall dubbed the gypsies a “marginal, mobile, minority”, His assertion is particularly relevant in understanding why the gypsies would jump the broom.²¹⁰ It provided a communally-based ceremony that was useful for nomadic populations since it could be performed in any location under any circumstances. When reviewing Moorwood's description it is evident that these gypsies fused significant meaning into the ceremony, as it was portrayed as a rather elaborate and regimented ritual that joined the two lovers together. In a similar vein to their Welsh contemporaries, an elder was present to dictate the performance of the ceremony, and the emphasis on community is apparent within this narrative. Considering that gypsies were typically on the fringes of British society, they

²⁰⁹ V. S. Moorwood, *Our Gypsies in City, Tent, and Van* (London: Williams Clowes and Sons, Ltd., 1885), 141-142.

²¹⁰ David Mayall, *Gypsy Travellers in the Nineteenth-Century Society* (Cambridge: Cambridge University Press, 1988), 92.

needed to create meaningful unions sanctioned by their peers, if they could not attain it by law. In this instance, the community served as the sanctuary, providing a human wall that guided the lovers toward the intended objective of sealing their nuptials by crossing the threshold.

Due to the broomstick wedding's origins as a folk custom it is difficult to pinpoint the moment it was employed as a customary marital ritual throughout Britain. As most of the primary sources are oral histories of the descendant communities, some recent scholarship has questioned the veracity of the accounts.²¹¹ However, a few sources heretofore unconsidered substantiate the custom's existence in British folk practice. However, one source cites a 1598 work entitled *Quiz'em's Chronicles* that describes the following account:

ye Bryde and ye Brydegroome, not handyely fyndeing a Parson, and being in grievous haste to be wed; they did take a Broome-stycke, and they did jumpe from one syde of ye Broome-stycke over to ye other syde thereof; and having so done, they did thinke them lawfull Man and Wyffe.²¹²

²¹¹ Rebecca Probert, "Chinese Whispers and Welsh Weddings," *Continuity And Change*, 20 (2005): 211-228; Probert, *Marriage Law and Practice*, especially 84-93. It should be noted that Probert does not completely deny that people could have jumped over a broomstick to marry prior to 1850, but her general conclusions speak to the notion that folklore collected in the early twentieth century that recalled broomstick weddings in the early nineteenth century was largely due to the faulty memories of the populations that folklorists interviewed. While Probert does reference African American slaves employing the ritual, she relegates this information to a single footnote and cites only one document, written from a white American's perspective, and Alan Dundes' brief article as authoritative texts, see *Marriage Law and Practice*, pg. 92, fn. 119.

²¹² The quote comes in the form of a reference from George Steevens in his commentary on playwright John Poole's parody of Shakespeare's *Hamlet* produced after the Restoration. Please see the following reference: John Poole, *Hamlet Travestie: In Three Acts with Annotations* (London: J. M. Richardson, 1810), 82.

The quote suggests the ceremony's legitimacy, at least in the eyes of the couple. The ceremony was private and performed due to the absence of the parson, a problem that plagued a number of rural communities throughout the Atlantic World. It is difficult to comfortably date the quotation, however, since *Quiz'em's Chronicles* remains somewhat apocryphal due to the fact that it is no longer physically available. Another commentator known only as "Malone", however, validated the reference by suggesting it was "a kind of heresy to ever doubt the authority of Quiz'em, for he is uncommonly accurate and faithful in his description of old customs." Malone concluded that if the ceremony existed it "could have been resorted to only by the *lower classes*" and doubted whether such ceremonies were "ever admitted among people of superior birth and education."²¹³ Despite this, the reference suggests that British writers understood that broomstick ceremonies were deeply imbedded in the cultural enactments of various rural communities for many centuries.

One other source suggests definitively that the practice existed in the eighteenth century, and even had a literary presence. The novel entitled *The Journal of Penrose, A Seaman*, written in the mid-eighteenth century by Welsh author William Williams, provides a useful representation of how the folk practice was not only a well-known custom throughout the British Isles, but also provides an example of how it likely diffused throughout the Atlantic World. The novel's protagonist, Llewellyn Penrose, became shipwrecked upon the Mosquito Coast of Nicaragua and proclaimed himself leader of a multiracial community that included other marooned European sailors,

²¹³ Malone's entry is not found in the original 1810 edition, but was included in later editions of Poole's burlesque rendition of *Hamlet*, see: John Poole, *Hamlet Travestie: in Three Acts. With Burlesque Annotations, after the Manner of Dr. Johnson and Geo. Steevens, Esq. and the Various Commentators* (London: Sherwood, Neely, and Jones, 1817), 94.

formerly enslaved Africans, and indigenous inhabitants. Acting as the community patriarch, Penrose married and performed marriage ceremonies at several points throughout the work by employing the folk custom of jumping the broom, which he described as “a common Custome among my people when they had a mind to be merry [married].”²¹⁴ Throughout the novel the community adopts the custom as their primary method of performing the marriage. At one point, a character named Harry and his wife jumped over the broom at the direction of Penrose, which caused him to enquire why Penrose “had not done the like with his sister, so to please him I took my partner by the hand and did the like.”²¹⁵ While no exact date exists for the novel’s completion, Williams had finished the manuscript prior to 1776, making his descriptions contemporaneous with folk customs practiced in the eighteenth century.²¹⁶

The aforementioned descriptions show how the ritual was utilized by British communities and provide context for understanding how the ritual was reimagined by communities who utilized it across the Atlantic. Each group associated with the rite tailored it to their own communal needs, and each variation shows both significant and slight differentiations. The various methods of performance show that each community executed the ritual differently, but all of them maintained the one essential component of the ceremony: the jump over the broom. The practicality of this custom would become particularly important for slaves in the rural American South who were disbarred from

²¹⁴ David H. Dickason, ed., *Mr. Penrose: The Journal of Penrose, a Seaman by William Williams* (Bloomington: Indiana University Press, 1969), 145.

²¹⁵ Dickason, *Mr. Penrose*, 145.

²¹⁶ The novel was never released during Williams’ lifetime, but received its first posthumous publication in 1815, albeit significantly edited, see: William Williams, Llewellyn Penrose, *The Journal of Llewellyn Penrose, a Seaman*, vol. 2 (London: John Murray, 1815); John Eagles, ed., *The Journal of Llewellyn Penrose, a Seaman* (London: S. and R. Bentley, 1825), 140-141.

the benefits of a legally-sanctioned marriage. The circumstances for slaves, of course, were somewhat different than these aforementioned groups. Slaves throughout the Atlantic were categorized as chattel property, meaning they were outside the contours of citizenship in British and American territories. Even if their marriages met the religious and civil expectations of Anglophone society, their unions were still subject to be ruptured if the master decided it was more economically practical to separate a slave couple and sell the spouses away from one another. Later chapters will examine the reasons that some slaves adopted the broomstick wedding, and how their ceremonies diverged from their British counterparts. The analysis provided in this chapter reveals that viewing the custom through an Atlantic lens provides an important addition to previous works upon slavery that largely ignored the origins of jumping the broom and what it meant to the enslaved population that appropriated it.²¹⁷

The Marriage Act of 1753 and its Colonial Impact

While the 1753 Act was primarily implemented to control the populations that dwelled within the nation-state, it also, perhaps incidentally, affected the marital practices of the expanding slave population of the Atlantic colonies. As noted, prior to the Act's passage English marriage was predominantly governed by Canon Law and marriage could be contracted by consent without the requirements of religious ceremony, and the

²¹⁷ The works on slavery that briefly reference the ritual are available in footnote 8 in the Introduction to this dissertation. More examples concerning the secondary literature on slave marriage will be provided in chapter five, but for now see the following seminal works that mention the ritual's European origins, but provide little contextualization for how it was transferred to slaves: Stevenson, *Life in Black and White*, 228-229; Nancy Cott, *Public Vows: A History of Marriage and the Nation* (Cambridge: Harvard University Press, 2000), 34-35; Andrew J. Cherlin, *The Marriage-Go-Round: The State of Marriage and the Family in America Today* (New York: Vintage Books, 2009), 45-46.

consent was notified using words of the present tense.²¹⁸ The passing of the 1753 Act was predominantly an attempt to curtail those marriages that were performed without parental endorsement, and required young couples to sanction their weddings within a recognized building of worship. While Rebecca Probert rejects the idea that very much changed in the period from 1754 to 1823, the letter of the law still holds important implications for understanding how it negatively impacted the enslaved populations of the colonies and provided the ability of slave owners to assert complete dominion over their slaves' sex customs.²¹⁹ Prior to the passage of the law, it should be noted that since England itself experienced very few legislative changes regarding marriage throughout the 1600s and first half of the eighteenth century, it is tempting assume that such laws simply transferred to the colonies wholesale. However, historian Norma Forde uses evidence from Barbados to explain that since colonies did not possess a "Spiritual Court", or the main ecclesiastical body responsible for reviewing cases of marital validity or dissolutions, it is "clear that not all the law as in force in England in this area of marriage was received into Barbados, when it manifestly stated that no Spiritual Court existed in the Island."²²⁰ As chattel property slaves held no legal rights to their marital claims in the colonies, and their unions remained somewhat anomalous in the legislation. Thus, legislators in the West Indies were not bound by any legal precedents to develop a way to legitimize the marriages of enslaved Africans. By neglecting to develop any legislative actions regarding slaves' marital rights in the colonies, they effectively situated slave

²¹⁸ Outhwaite, *Clandestine Marriage*, 75-97; Cressy, *Birth, Marriage, and Death*, 317; Norma Forde, "The Evolution of Marriage Law in Barbados," *The Journal of the Barbados Museum and Historical Society* 35, no. 1 (1975): 33.

²¹⁹ Probert, "Control over Marriage," 413-450.

²²⁰ Forde, "The Evolution," 33.

owners into a position where they legally maintained supreme authority in determining the marital patterns of their slaves. As England faced its own turning point in marital legislation in the mid-eighteenth century, the 1753 Act also impacted the power structure of the colonies, though for very different and perhaps unintentional reasons.

The controversy centralizes in one brief segment of the law. The eighteenth section of the Act explicitly stated “That nothing in this Act contained shall extend...to any Marriages solemnized beyond the Seas.”²²¹ Cognizant of its expanding Atlantic empire, this section of the act provided a degree of autonomy to the colonies in the West Indies, Bermuda, and the North American mainland in how they registered or codified their marriages. Autonomy could be viewed as a positive concept in providing a method for colonial populations to develop a socio-political structure outside the empire. However, in this case the eighteenth clause of the marriage act was quite detrimental to slaves of African descent, who already comprised a population that often felt the inequitable weight of colonial legislation.

While Lyndon Dominique notes that the absence of parliamentary debates makes it difficult to fully know if the eighteenth clause was intended to reference the colonies, she makes the pertinent statement that the law allowed “colonial masters to skillfully bypass the rigorous intent behind the Hardwicke’s Act.”²²² The full text of the eighteenth clause was mainly inserted to exempt Jews, Quakers, and the Scottish territory from the

²²¹ “Appendix 2: The 1753 Act,” in Outhwaite, *Clandestine Marriage*, 179.

²²² Dominique, *Imoinda’s Shade*, 35. In examining the primary sources over what the term “over the seas” precisely meant, most of them discuss the validity of marriage in foreign countries. Simultaneously, they do not largely comment upon how to deal with colonies, which ultimately provided colonies a great deal of autonomy from the restrictions of the 1753 Act: *A New Abridgement of the Law*, vol. 7 (Dublin: White, 1793), 113; *The Kingston Cause* (London: Wheble, 1776), 43.

parameters of the law, and the notion of those marriages performed beyond the seas remained somewhat ambiguous. However, the ambiguity provided significant autonomy in how colonial legislators ignored promoting any legitimate marital legislation for its growing enslaved populations. In many respects, England's marital laws largely failed in ensuring that marriage laws transferred to their Atlantic colonies. In 1666, lawmakers in Barbados affirmed that the island was to be governed in accordance with the laws of England. However, as noted by Forde the Spiritual Court was largely responsible for rendering a marriage valid or void within the eyes of the Church, and the absence of such a court theoretically denoted the society was under less surveillance by ecclesiastical officials. Ecclesiastical figures worried that black populations across the Atlantic would not fall in line with orthodox forms of English marriage if not forced, or at least encouraged, to do so, and the possible civilizing mission that was promoted alongside Atlantic slavery would be null and void under secular law.

In the end, Hardwicke's 1753 Act was intended to alleviate the problems in past legislation through granting more authority to parents in controlling who their sons and daughters could marry. It certainly kept its promise within the confines of England and Wales. Privileging the elite classes, scholars note that it was primarily formulated to keep the stratification between the rich and poor of England by preventing the children of the rich from marrying those below their socio-economic status. Thus, it was designed to accommodate the "paternalist bias" of the elite English.²²³ Perhaps incidentally, it increased the power of Caribbean slave owners who also functioned as a population who controlled the marital customs of those to whom they claimed legal authority over. In

²²³ Dominique, *Imoinda's Shade*, 35; Harth, "The Virtue of Love," 138.

many respects, the Marriage Act of 1753 represents another example of how slaves were marginalized through marriage legislation (or lack thereof) throughout the period of enslavement. Sociologist Cecilia Green notes that colonial masters perceived “any kind of formal marriage among them [slaves] was preposterous, a great impertinence, an attack on their authority and rights of property...and a dangerous intrusion upon the sacrosanctity of European racial exclusivity and superiority.”²²⁴ The restriction of Hardwicke’s Marriage Act to England and Wales provided an opportunity for colonial planters to define and control marriage in the West Indies. Obviously, colonial masters held little incentive to encourage their slaves to breed until the abolition of the Atlantic slave trade in 1807, as it remained economically more practical to import Africans than take measures to naturally reproduce the population. With the absence of any legislative requirements in how to marry the slave population, most masters simply ignored the idea that slaves needed their marriages protected through legal validation, and they were continually able to thwart the ambitions of missionaries who sought to encourage slave matrimony. Hardwicke’s Act thus set a debilitating precedent for how black matrimony was conceptualized in both Bermuda and the sugar producing regions of the Caribbean Sea up to the point of emancipation in the 1830s.

Conclusion

It is important to note that the black presence in the abolitionist movement toward the end of the eighteenth century helped to increase awareness throughout Britain with the inhumanity of the system. While sub-saharan Africans held both a physical and

²²⁴ Cecilia A. Green, ““A Civil Inconvenience”? The Vexed Question of Slave Marriage in the British West Indies,” *Law and History Review*, 25 (2007): 2.

literary presence in English society and culture prior to 1600, the advancement of the transatlantic slave trade fed many enslaved Africans to the British colonies, some of whom found their way to British cities in the interior and the coast.²²⁵ With particular reference to London, Alexander Byrd argues that a “noticeable population of black servants, slaves, sailors, paupers, and performers” found their way to the streets of London. He notes the population was overwhelmingly male and “the vast majority of black Londoners (perhaps 90 percent) were immigrants, [who had] not long arrived from somewhere else.”²²⁶ Whether racism was a product of African slavery in the early modern period, or a deeper-seeded historical issue that resonated within English society prior to sustained contact with Africa remains a contentious historiographical issue.²²⁷ Black populations certainly recognized their alien status in early modern England when, toward the beginning of the seventeenth century, Queen Elizabeth issued orders to deport “divers blackamores brought into this realm”, suggesting that some believed the black presence held debilitating effects upon Anglo-Saxon society.²²⁸

²²⁵ For examinations of the early black presence in England see Anu Korhonen, “Washing the Ethiopian White: Conceptualising Black Skin in Renaissance England,” in *Black Africans in Renaissance Europe*, eds. T.F. Earle and K.J.P. Lowe (Cambridge: Cambridge University Press, 2005), 94-112; Eldred Jones, *Othello’s Countrymen: The African in English Renaissance Drama* (Oxford: Oxford University Press, 1965); Paul Edwards and James Walvin, “Africans in Britain, 1500-1800,” in *The African Diaspora: Interpretive Essays*, eds. Martin L. Kilson and Robert I. Rotberg (Cambridge: Harvard University Press, 1976), 172-178.

²²⁶ Alexander X. Byrd, *Captives and Voyagers: Black Migrants Across the Eighteenth-Century British Atlantic World* (Baton Rouge: Louisiana State University Press, 2010), 125.

²²⁷ Listing every work in this debate would be exhaustive. Therefore, I limit this citation to a few key works that form the bedrock of this debate: Alden T. Vaughan, *Roots of American Racism: Essays on the Colonial Experience* (New York: Oxford University Press, 1995); George Fredrickson, *Racism: A Short History* (Princeton: Princeton University Press, 2002); Benjamin Isaac, *The Invention of Racism in Classical Antiquity* (Princeton: Princeton University Press, 2004).

²²⁸ Quoted in Edwards and Walvin, “Africans in Britain,” 178.

More importantly for the purposes of this chapter is showing how the awareness of black chattel slavery led to a greater concern for reform and eventual abolition of the system. Freed blacks who joined forces with abolitionists and missionary organizations toured throughout Britain exposing the horrors of the slave system to captivated audiences. Former slave and Methodist missionary Edward Fraser was particularly passionate upon the subject of slave marriage, and illustrated to his predominantly white, religious audience the inequity that permeated throughout the British Atlantic. In one speech he challenged his audience with powerful rhetoric: “Should the man who tells me ‘you shall not have it in your power to protect the wife of your bosom; you shall not have the power to clasp a beloved child to your breast, but at my pleasure; is it such a man that presumes to tell me, ‘you want these sympathies that adorn human nature?’”²²⁹ Fraser’s impact was significant, and one Methodist historian in the nineteenth century noted that though he was “quite dark” Fraser was “a man of superior pulpit and platform power. Forty years ago he charmed thousands in Exeter Hall by his matchless eloquence.”²³⁰ Fraser is one example of how the rise of abolitionist fervor throughout Britain made the general population more aware of the circumstances of chattel slavery, and the denigrating impact it held upon the formation of stable marriage unions among the slave population. Thus, while the 1753 Act failed in gaining England’s attention upon the

²²⁹ Information gathered upon Edward Fraser comes from the unpublished manuscript by Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” page 187, housed in the Bermuda National Museum. While an abridged version was recently published through the Museum’s press, it omits significant passages and provides scanty citation of sources. I will balance Packwood’s document with a few primary sources available for Fraser, but will rely upon his biography as the most authoritative source on Fraser’s life. For the published version see Cyril Packwood, *Edward Fraser: from Slave to Missionary* (Bermuda: Bermuda National Museum Press, 2013). All subsequent references will be from the unpublished manuscript.

²³⁰ Thomas H. Pearne, “The Race Problem—The Situation,” *The Methodist Review* 72 (Jan.-Feb., 1890): 702.

inequitable circumstances of colonial slave marriages the abolitionist movement was an important force in pursuing the questions regarding a slave's moral uplift. The lack of progress gained in encouraging slaves to marry ultimately formed one of the primary talking points of the abolitionist movement and helped move the empire toward the amelioration campaigns and eventually slave emancipation through imperial order.

Whether it was an accident through legislative oversight, or an intentional insertion to maintain the hierarchal structure in the colonies, Hardwicke's Act is another indication of the general failure of British legislation to protect slave marriages in the Atlantic empire. Until the 1820s British legislators refused to recognize that marriages between two enslaved people of African descent could attain any type of legitimacy under the law. At this point, however, black chattel slavery was marching toward its death in the British Atlantic. However, by understanding the cultural and legal dynamics that swept through Britain in the eighteenth and nineteenth centuries we are able to more fully conceptualize the trajectory that slave marriages took in the Anglophone Atlantic and how the colonies and former colonies remained connected through cultural and legal precedents established throughout Britain. Indeed, this chapter provides a synopsis for understanding why slaves continued, reimagined, and/or appropriated certain cultural customs to reckon with the problematic legislative codes that provided them no legal protection from the master's interference.

CHAPTER 3

“A SYMBOL OF ETERNITY”: SLAVE MARRIAGE IN THE BRITISH WEST INDIES

In 1795 British abolitionist Hannah More composed a poem depicting a female slave named Yamba that sent a powerful message to Europeans who debated the humanity of the transatlantic slave trade from the western coasts of Africa. Enslaved in St. Lucia in the eighteenth century, Yamba was represented as one “born on Afric’s Golden Coast, Once I was an blest as you/ Parents tender I could boast, Husband dear, and children too/”²³¹ Yamba’s lamentation read as a fictive autobiography written in English verse, cataloging life in Africa, her capture, the journey upon the Middle Passage, and the toils and triumphs of slaves in the island colony. The poem was a rather lengthy ten pages, and it provided a useful microcosm for how most African slaves reflected on the difficulty of reestablishing kinship and marital relations under British slavery. The poem probably served a dual purpose for British abolitionists, as it simultaneously highlighted the degenerative effect of slavery on Africans in the diaspora, and promoted the benefits of Christian conversion for slaves. More noted that despite the more positive outlook Yamba gained from the Christian gospel she still longed for a

²³¹ *The Sorrows of Yamba; or, The Negro Woman’s Lamentation* (London: J. Marshall, 1797), 3. Information upon Hannah More and this poem can be found in Marcus Wood, ed., *The Poetry of Slavery: An Anglo-American Anthology* (Oxford: Oxford University Press, 2003), 99-119; Srinivas Aravamudan, ed., *Slavery, Abolition and Emancipation: Writings in the British Romantic Period* (Pickering & Chatto, 1999), 224; James G. Basker, ed., *Amazing Grace: An Anthology of Poems about Slavery, 1660-1810* (New Haven: Yale University Press, 2002), 335, 490-492.

return to Africa: “But tho' death this hour may find me, Still with Afric's love I burn/
(There I've left a spouse behind me) Still to native land I turn.”²³² Her yearning was predicated on the hope for reunion with her unnamed spouse, but the poet is also keenly aware that “British Law shall ne'er befriend me, They protect not Slaves like me.”²³³ While it is likely that Yamba was created by the imaginative poet, the character's predicament in the poem was representative of many slaves taken from the western coasts of Africa who were forced to toil upon plantations established for the expanding sugar economy during Britain's Atlantic colonization.

Enslaved Africans and their descendants in the colonies became quickly aware of the connections between sugar and mortality, as the labor requirements for sugar cultivation promoted the idea that replacing slaves through importation, rather than natural increase, was the most pragmatic method of production.²³⁴ Claiming very few laws that legitimately protected them, legislation and social practice were intertwined features of oppression for enslaved people. For those seeking marital unions, the combined forces of a fatal labor regime and unfavorable legislative code placed slaves in a setting that was both physically and psychologically oppressive. The history of slave marriage in the West Indies is referenced in multiple works dealing with sugar slavery, but the references are either small insertions within a much larger topic, or they primarily discuss slave marriage from the legislative and political perspectives of British

²³² *The Sorrows of Yamba*, 11.

²³³ *The Sorrows of Yamba*, 7.

²³⁴ For the connections between sugar, slavery, and death see Tadman, “The Demographic Cost of Sugar,” 1534-1575; Vincent Brown, *The Reaper's Garden: Death and Power in the World of Atlantic Slavery* (Cambridge: Harvard University Press, 2008).

abolitionists and other activists.²³⁵ Hence, slave marriage as a topic in West Indian historiography is usually told from a top-down perspective. Due to the nature of the sources, very few works feature any sustained analyses that capture the motivations of the enslaved, their cultural proclivities in the domestic relation, and how they reckoned with their inequitable circumstances as chattel slaves.²³⁶ This chapter hopes to answer these questions by viewing the various rituals and expressions slaves utilized in the diaspora throughout the Caribbean islands and how the discussion of slave marriage was a central feature within the debates that abolitionists used in eventually promoting the amelioration campaigns of the 1820s and the eventual abolition of slavery in the mid-1830s.

Atlantic Africans and their descendants entrapped within a system that did not recognize their marital rights certainly experienced forms of social disconnect through the forcible sales or sexual abuses that characterized the racially-based slavery of the

²³⁵ The historiography of the slave family headed by scholars like Barry Higman and Michael Craton featured analyses of slave marital patterns, but were usually secondary to the larger discussions of slave kinship and family structure, see: Higman, "Household Structure and Fertility," 527-550; Higman, "African and Creole Slave Family Patterns," 163-178; Craton, "Changing Patterns of Slave Families," 1-35, Joseph R. Manyoni, "Extra-Marital Mating Patterns in Caribbean Family Studies: A Methodological Excursus," *Anthropologica*, 22 (1980): 85-118; Other works usually make rather brief mention of slave marriage within their larger analyses, including: Richard S. Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill: University of North Carolina Press, 1972), 76, 251, 255; R.A. Minter, *Episcopacy Without Episcopate: The Church of England in Jamaica Before 1824* (Upton-upon-severn: Self-Publishing Association Ltd., 1990); David Barry Gaspar, "Ameliorating Slavery: The Leeward Islands Slave Act of 1798," in *The Lesser Antilles in the Age of European Expansion*, eds. Robert L. Paquette and Stanley L. Engerman (Gainesville: University Press of Florida, 1996), 252-254; R. Sheridan, "The Condition of the Slaves on the Sugar Plantations of Sir John Gladstone in the Colony of Demerara, 1812-49," *New West Indian Guide/Nieuwe West-Indische Gids*, 76 (2002): 251-2, 254; Travis Glasson, *Mastering Christianity: Missionary Anglicanism and Slavery in the Atlantic World* (Oxford: Oxford University Press, 2011), 93, 164-166.

²³⁶ Those works that have dedicated sustained attention to the question of slave marriage have typically used politically-based sources to discuss how slave marriage permeated the thoughts of abolitionists and absentee planters. While such analyses are excellent in providing information on the legislative and political process of ameliorating slavery, we still know very little about what slaves did, and why: Henrice Altink, "'To Wed or Not to Wed?': The Struggle to Define Afro-Jamaican Relationships, 1834-1838," *Journal of Social History*, 38 (2004): 81-111; Christine Barrow, "Living in Sin: Church and Common-Law Union in Barbados," *Journal of Caribbean History*, 29 (1995): 47-70; Henrice Altink, *Representations of Slave Women in Discourses on Slavery and Abolition, 1780-1838* (New York: Routledge, 2007), 91-128; Green, "A Civil Inconvenience" 1-59.

Caribbean colonies. However, I submit that slaves held tight to the idea that marital unions, solemnized on their own terms and in their own way, were important features of psychological survival that pushed against the demoralizing features produced through the labor requirements of sugar-based slave labor. Of course, the representation of slave marital rituals in the primary sources is largely dependent upon the cultural acumen of the observer, causing some depictions to provide more detail than others. Using European sources to depict slaves' cultural expressions should always be approached with caution, as Eurocentric bias often hinders a fair retelling of the observed events. However, placing analytical focus upon the actual ceremony while contextualizing the opinion of the observer is an effective vantage point for appreciating these brief glimpses into the private lives of slaves, as well as the importance of marriage rituals in securing a culture that remained distinct from the planter class and general white community. This information then provides context for examining the amelioration and emancipation campaigns that sought to enforce Christian matrimonial standards throughout the 1820s to late-1830s.

Historiographical Assessment

The degree to which African culture resonated in American and Caribbean slave communities holds a long historiographical debate, and is in many respects wrapped within debates over the theory of "social death".²³⁷ As slaves were funneled from slave ships into the burgeoning sugar colonies of the Caribbean they reckoned with the

²³⁷ Much of this literature stems from the lengthy debates concerning "African Survivals", creolization, and/or the Africanist approach of tracing cultural genealogies by beginning in Atlantic Africa. Listing each works is too lengthy for a single footnote, but see the following historiographies for a readily accessible comprehension of these debates: Childs, "Slave Culture," 170-186; Dawson, "Slave Culture," 465-484.

psychological damages wrought by their severance from kin and community left behind in their natal homelands throughout Africa. Scholars continuously argue the degree to which the concept of social death was a lived experience among slaves throughout the Atlantic diaspora. Tracing its roots to the pivotal analysis of sociologist Orlando Patterson in 1982, social death theory proposed the notion that the system of slavery was designed to annihilate the social network and kinship community of the individual slave, making them completely subservient as they were integrated into the master's world.²³⁸

Acceptance of the theory remains relatively divided. Scholars who embrace a structuralist approach to Atlantic slavery studies typically embrace Patterson's claims, asserting that the legal commodification of enslaved humans and control over their sex customs largely demoralized the ability of diasporic Africans to create long-term kin networks under chattel slavery.²³⁹ In contrast, those supporting a socio-cultural understanding of slave communities throughout the Atlantic world contend that the residual influences of African culture and the creative re-imagination of kinship provided the enslaved a readily accessible arsenal of weapons to combat the demoralizing experiences associated with chattel slavery. A seminal article by historian Vincent Brown summarizes this approach particularly well, and concludes that "If scholars were to emphasize the efforts of the enslaved more than the condition of slavery, we might at

²³⁸ Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Cambridge University Press, 1982), 13.

²³⁹ For works that promote the notion of social death see: Stephanie Smallwood, *Saltwater Slavery: A Middle Passage from Africa to American Diaspora* (Cambridge, MA: Harvard University Press, 2007); Saidiya Hartman, *Lose Your Mother: A Journey along the Atlantic Slave Route* (New York: Farrar, Straus and Giroux, 2007); Eddie Donaghue, *Black Breeding Machines: The Breeding of Negro Slaves in the Diaspora* (Bloomington, IN: Authorhouse, 2008). The notion of controlling sex customs is also reflective of the conclusions of Dubois' and Frazier's analyses of American slavery, see W.E.B. Dubois, *The Negro American Family: A Study Made by Atlanta University Under the Patronage of the Trustees of the John F. Slater Fund* (Atlanta, GA: The Atlanta University Press, 1908), 21; Frazier, "The Negro Slave Family," 198-259.

least tell richer stories about how the endeavors of the weakest and most abject have at times reshaped the world.”²⁴⁰ Brown essentially summarized the differences and complications associated with how one studies the institutions of slavery and the slave trade against those who attempt to recapture the histories of those ensnared within them. The study of slave marriage in the West Indies holds particular promise in providing a bridge between these two historiographies by analyzing the slaves’ marital practices and patterns through paradigms of social, cultural, legal, and political history.

Despite the stark differences in approach, this polarized depiction of Atlantic slavery is particularly valuable for studying the way Africans and black West Indians in the diaspora developed unique cultural expressions inspired by African heritages and their circumstances under New World slavery. The dilemma in studying the cultural expressions of slave marriage in the British West Indies, however, is largely due to the dearth of sources. Observers within the British Isles were not typically interested in describing the ritual enactments of enslaved laborers, as such performances were quickly dismissed as pagan carryovers from their African heritage. In his *Natural History of Barbados*, Welsh naturalist Griffith Hughes noted “the Negroes are very tenaciously addicted to the Rites, Ceremonies, and Superstitions of their own Countries, particularly in their Plays, Dances, Music, Marriages, and Burials.”²⁴¹ The mention of “rites” and “ceremonies” illustrates that Hughes was discussing particular instances of ritual performance that were unfamiliar to European observers. However, Hughes provided no

²⁴⁰ Brown, “Social Death,” 1249. Also see Herman Bennett, “Genealogies to a Past: Africa, Ethnicity, and Marriage in Seventeenth-Century Mexico,” in Edward E. Baptist and Stephanie M. H. Camp, eds., *New Studies in the History of American Slavery* (Athens, Ga.: University of Georgia Press, 2006), 127–147; James Sweet, “Defying Social Death: The Multiple Configurations of the African Slave Family in the Atlantic World,” *William and Mary Quarterly*, 70 (April 2013): 251–272.

²⁴¹ Griffith Hughes, *The Natural History of Barbados. In Ten Books* (London: The Author, 1750), 15.

descriptive material of these ceremonies for scholarly analysis, requiring that historians be more imaginative in how they represent what slaves of African descent did, or did not, do in the sugar colonies. Despite his oversight, Hughes' notion that African backgrounds resonated to some degree in the diaspora suggests that slaves were at times able to utilize cultural expressions that defied the legal restrictions placed upon them. The fact that he listed marriage as one of the main ceremonies that retained some connectivity with African traditions in the sugar island implores scholars to scrutinize those few slave weddings that are available for interpretation.

The legal position of the enslaved in the British colonies placed them in a paradoxical situation. Despite the intensification of marital legislation within the British Isles, centralizing within the Clandestine Marriage Act of 1753, the legislative measures were not carried to the colonies. Documents suggest that concern for slave matrimony was largely ignored until the 1820s, and the push for reform was largely due to outside pressures from humanitarians who promoted abolitionism. If slavery was to be held up as a Christian institution "in the age of Wilberforce and Buxton," missionaries and other slave owners attempted to reorient their positions regarding slave matrimony in the early nineteenth century if they hoped to salvage the institution.²⁴² Unlike the Spanish, and to a lesser degree the French and Portuguese, British legislators initially disregarded any inclination toward providing slaves the benefits of a legally protected marriage.²⁴³ Since the British held no legal precedents on how slaves were governed in the colonies, they viewed marriage as a civil institution that disbarred slaves due to their status as chattel. In

²⁴² J. Harry Bennett, Jr., *Bondsmen and Bishops: Slavery and Apprenticeship on the Codrington Plantations of Barbados, 1710-1838* (Berkeley: University of California Press, 1958), 116.

²⁴³ For a comparative assessment of different colonial powers developed legislation in the slave colonies see Watson, *Slave Law*.

the Barbados church registers from 1643-1800 the only slaves listed as participating in a church wedding were those who married free blacks; otherwise the only black Barbadians who embraced the church wedding were free people of color.²⁴⁴ The same circumstances existed in St. Kitts, though in these registers one can track the surnames of the free black families who intermarried with one another to ensure their accumulated wealth remained in their circle of kinship.²⁴⁵ Free blacks in St. Kitts probably recognized that the social prestige of the church wedding would help secure their position in society. Despite their free status, white privilege always made the existence of a free black population rather precarious in the Anglophone colonies.²⁴⁶

It is particularly revealing that prior to 1825 contemporary critics of slavery noted the island of Barbados held only one documented instance of a slave marriage.²⁴⁷ Perhaps

²⁴⁴ To ensure accuracy in my citation I am providing the page numbers that list free black marriages, or some sort of racial identities for the parishioners, for both collections of Barbadian marriages published by Joanne Sanders. For those interested in perusing these volumes my research method in tracking free black marriages is that much of the time record-keepers listed the individuals as “free blacks to distinguish them from slaves. Oftentimes, however, even when they just listed them as “negroes”, free blacks usually held surnames, whereas slaves were only listed by their first names. Joanne Mcree Sanders, ed., *Barbados Records: Marriages, 1643-1800*, volume 1 (Houston, TX: Sanders Historical Publications, 1982), 55, 59, 62, 68, 70, 79, 82, 84, 85, 96, 110, 114, 115, 123, 129, 132, 133, 140, 152, 153, 166, 171, 212, 216, 232, 139, 240, 263, 269, 288, 297, 336, 348, 353, 354, 356, 364, 381, 387, 391, 393; Joanne Mcree Sanders, ed., *Barbados Records: Marriages, 1643-1800*, volume 2 (Houston, TX: Sanders Historical Publications, 1982), 519, 531, 549, 562, 571, 577, 579, 584, 588. Both collections were accessed in the British Library Rare Books and Special Collections.

²⁴⁵ Parish Registers of St. Kitts, West Indies Additional Manuscripts, Presented by J. Bromley and Lt. Col. H. R. Phipps, British Library Rare Books and Special Collections.

²⁴⁶ For information on free blacks in Anglophone slave societies see Ira Berlin, *Slaves without Masters: the Free Negro in the Antebellum South* (Oxford: Oxford University Press, 1981); Larry Koger, *Black Slaveowners: Free Black Slave Masters in South Carolina, 1790-1860* (Columbia, SC: University of South Carolina, 1985); Michael P. Johnson and James L. Roark, *Clack Masters: A Free Family of Color in the Old South* (New York: W.W. Norton and Company, 1984). One recent scholar has noted that despite legislative restrictions free blacks in rural South Carolina oftentimes matched the economic status of their common white counterparts, see: David W. Dangerfield, “Plain Folk of Color: Rural Free People of Color in the Antebellum Charleston District,” (M.A. Thesis: College of Charleston, 2009).

²⁴⁷ John Riland, *Two Letters, Severally Addressed to the Editor of the Christian Observer and the Editor of the Christian Remembrancer, Relative to the Slave-Cultured Estates of the Society for the Propagation of the Gospel* (London: John Hatchard and Son, 1828), 8; Bennett, Jr., *Bondmen and Bishops*, 116. The

unsurprisingly, the minister who performed this marriage was subjected to persecution by his parishioners. Considering that Barbados had stabilized its sexual imbalance among the enslaved population by the nineteenth century, one could assume it provided a favorable demographic situation for encouraging slaves to embrace monogamous unions. The fact that this generally did not happen until well after emancipation reveals the complicated social dynamics that revolved around the indifference of the masters and the disinterest of the slaves. Thus, it is pertinent to uncover slaves' marital rituals that took place outside the Christian tradition in order to explain how they attempted to control their own marital worldviews under a system that was not obligated to respect their domestic units.

African-centered Marriage Rites in the West Indies

The ceremonies that reflect greater continuity with the matrimonial customs of Atlantic Africans presents striking evidence of the cultural tenacity of West Indian slaves. Unfortunately, very few descriptions of slave marital rituals exist in the documents available for the British colonies. The omission is largely due to the individual's intention when commenting upon slave marriage. Those white commentators who expressed any concern with the issue usually perceived slave marriage as an intellectual and legal concept that needed to be amended. References to slaves' marital relations were typically used by abolitionists seeking to curtail the authority of West Indian planters and promote societal change. Consequently, governmental figures who reported upon the moral

minister who performed this ceremony was actually surrounded by controversy amongst his parishioners due to his avid support of amelioration, see: Robert H. Schomburgh, *The History of Barbados, Comprising a Geographical and Statistical Description of the Island; A Sketch of the Historical Events since the Settlement; and an Account of its Geology and Natural Productions* (1848; republished in London: Frank Cass and Company, 1971), 427-428.

progress of the enslaved population provide minimal descriptive material. Such documents held little interest in describing the ritual maneuvers of the slave population and were primarily used for political purposes. At times, visitors to the island were probably documenting what they were told without actually witnessing a slave wedding. In one example from Antigua, John Luffman wrote in 1787 that slaves were “not permitted to marry [and] consequently take one anothers words, and change their husbands and wives (as they term them) when, and as often as they please.”²⁴⁸ While such resources hold fascinating possibilities for investigating the social structure of slave marital patterns, these narratives provide very little for an interpretive analysis of actual slave marriage rituals. In combining the British material with a few sources beyond the British Atlantic, however, this chapter shows the connections between these weddings and African ritual practices and cosmologies.

While two of the four references originate from the Danish West Indies, and not the British colonies, they provide valuable information for assessing marriage in the diaspora since we hold precious few references to the marriage rituals of slaves in the sugar colonies. Additionally, Danish legal codes likely approached slavery in a similar method as the British. As they were both located in the north of western Europe, they held little previous contact with Africans prior to the transatlantic trade and both countries, unlike their Iberian counterparts, had no developed slave code prior to expanding their influence in the Atlantic world. Evidence suggests that their approaches to slave marriage were quite similar, and one Englishmen visiting the Danish West Indies

²⁴⁸ John Luffman, *A Brief Account of the Island of Antigua, Together with the Customs and Manners of its Inhabitants, as well White as Black. Also, an Accurate Statement of the Food, Cloathing, Labor, and Punishment, of Slaves, In Letters to a Friend. Written in the Years 1786, 1787, 1788* (London: J. Luffman, no date), 109.

believed slave marriages were “as frequent here as in the English colonies.”²⁴⁹ As with most European observers throughout the Atlantic, they interpreted African marital practices through Eurocentric perspective that criticized Africans’ supposed inclinations toward promiscuity and polygamous relations, both of which they believed were exacerbated under slavery.²⁵⁰

In referencing the Danish West Indies, Caribbean-born slave holder Johan Lorentz Carstens noted that while the “majority of slaves copulate wherever they happen to be,” others performed ceremonies to publicly display their devotion. Carstens’ initial dismissal makes his subsequent statement quite surprising, as he described a ceremony rich in symbolism, communal support, and public commitment:

They have a big feast arranged, to which they invite all of their family. The latter attend, each one bringing something to regale with. The two who are espoused stand in the field under the open sky, where the others gather around them in a circle. The one who acts as the priest blesses them in the name of their gods. He then gives them some of the fruits of the earth so that they may procreate just as the fruits reproduce. With that everyone begins to shout and scream, clapping

²⁴⁹ Lieutenant Brady, “Observations on Negro Slavery in Santa Cruz,” in *The Kamina Folk: Slavery and Slave Life in the Danish West Indies*, eds. George F. Tyson and Arnold R. Highfield (U.S. Virgin Islands: Virgin Islands Humanities Council, 1994), first quote 164, second quote 165. For a secondary work that provides information upon how Danish slave family structures provide perspective within a historiography largely dominated by Anglophone societies see: Karen Fog Olwig, “Finding a Place for the Slave Family: Historical Anthropological Perspectives,” in *Bondmen and Freedmen in the Danish West Indies: Scholarly Perspectives*, ed. George F. Tyson (U.S. Virgin Islands: Virgin Islands Humanities Council, 1996), 108-118.

²⁵⁰ For a selection of primary sources referencing slave marriages and morality in the Danish West Indies, see: Arnold R. Highfield, ed., *Hans West’s Accounts of St. Croix in the West Indies* (U.S. Virgin Islands: The Virgin Islands Humanities Council, 2004), 72-73, 91, 102; Reimert Haagensen, *Description of the Island of St. Croix in America in the West Indies* (St. Croix, U.S. Virgin Islands: Virgin Islands Humanities Council, 1995), 55-56; Johan Christian Schmidt, *Various Remarks Collected On and About the Island of St. Croix in America* (St. Croix: The Virgin Islands Humanities Council, 1998), 25.

their hands. Then they celebrate the entire night long, with plenty of food and entertainment.²⁵¹

It is unknown if Carstens acquired his information through discussions or actual observation, but attention to his language and descriptive method is a key feature for understanding how he expected to relay the information. Carstens speaks as a detached observer who is unable to provide direct specificity about the ritual, but his account suggests that he did stretch his imagination to interpret the ritual processes of the ceremony. Having been born in St. Thomas in 1705, Carstens was in as good a position as any individual of European descent to describe a slave wedding ceremony that captured the uniqueness of African culture in one of the sugar islands. Carstens certainly believed the ritual was filled with Africanisms, as he noted they paid homage to African gods, utilized materials from the earth to symbolize their position as a newly wedded couple, and celebrated for a lengthy amount of time in a raucous manner.

Marriage rituals throughout Atlantic Africa held certain differences from this ceremony, though it is to be expected that marriage ceremonies in the diaspora were never exact duplicates of those in the homeland. However, core elements within this description are highly suggestive of how African cosmologies resonated among some slaves in the Atlantic diaspora. The usage of earth-based materials to represent a promise of procreation certainly resembles an African praxis of earthly symbolism familiar to communities throughout Atlantic Africa. Of particular interest, however, is the “circle” formed around the couple that resonates with scholarship that notes the importance of

²⁵¹ Johan Lorentz Carstens, *St. Thomas in Early Danish Times: A General Description of all the Danish, American, or West Indian Islands*, ed. and trans. Arnold R. Highfield (St. Croix, U.S: Virgin Islands Humanities Council, 1997), 78.

ring formations in African and Afro-diasporic rituals that used the formation to engage the supernatural realm.²⁵² As historian T.J. Desch-Obi notes for practitioners of capoeira and other diasporic African martial arts the “ritual circle, or elola, was designed to bring the practitioner into the spiritual world through ‘circling,’.”²⁵³ The circle permeated throughout a number of African ceremonies, and since we find it was also used in the diaspora it merits further attention.

The circle permeated a number of important rituals in Africa and the diaspora, one of which was death. In a related notation from the eighteenth century John Matthews, a trader near Sierra Leone, recorded an extended burial ritual in which praises were sung of the deceased by their friends or relations who formed “one great circle round the music, and clapping hands at every period or repetition of their song.”²⁵⁴ Documents suggest that similar ceremonies continued among diasporic Africans and Afro-Jamaicans. In the late eighteenth century a Hessian officer observed an elaborate burial ceremony among slaves in Jamaica that included pall bearers, drums, and a casket draped with white linen. A remarkable component of the ceremony was its length, which the officer surmised had lasted three days, as funerals featured as one of the “greatest enjoyment[s]” among slaves.²⁵⁵ Similar to Matthews’ description, the symbolic circle featured as the concluding element of the ritual process, as “a circle was formed, the coffin placed in the

²⁵² Stuckey, *Slave Culture*, see chap. 1 especially; Desch-Obi, *Fighting for Honor*.

²⁵³ T.J. Desch-Obi, “Combat and the Crossing of the Kalunga,” in *Central Africans and Cultural Transformations in the American Diaspora*, ed. Linda M. Heywood (Cambridge: Cambridge University Press, 2002), 358.

²⁵⁴ Matthews, *A Voyage to the River Sierra Leone*, 101.

²⁵⁵ As They Saw Us: Hessian Views of America During Revolutionary War, Transcribed and Translated by Bruce E. Burgoyne, page 145, National Library of Jamaica (hereafter NLJ).

middle, and a strange place for a ball [dance] developed.”²⁵⁶ According to the surrounding spectators these African-descended slaves were careful in mimicking the burial rituals of their home country, as they guaranteed transport back to Africa to return to the deceased’s kinship unit if performed properly. The circle probably served as a way to secure the blessing of the supernatural visitors who largely controlled the outcome of how one’s spirit was welcomed into the realm of the deceased.

In returning to Carsten it is important to note his description suggests that the priest only blessed the couple in the name of the gods *after* the circle was formed, suggesting that spiritual energy was drawn from the specific formation. Had slaves not taken time to form a specific symbol around the couple during these weddings, an outside observer like Carsten would likely have omitted the specific reference. The fact that Carsten suggested that African “gods” were cited as the basis for the ceremonial blessing also suggests that more direct African linkages operated for those diasporic African enslaved throughout the Americas in the early eighteenth century. What Carsten called “gods”, however, were most likely ancestors who entered the ceremony after the circular invitation was evoked. As Desch Obi explains the circle was a sacred space and in some African cosmologies provided a center of spiritual power that evoked the presence of beings from the inverted ancestral world.²⁵⁷ In analyzing one particularly compelling passage from St. Domingue, James Sweet submits that the Central African religious expression of “kilundu” was reimagined by Haitian slaves in the diaspora. In St. Domingue this ritual was called “calenda” and slaves usually formed a circle “on even

²⁵⁶ As They Saw Us, p. 144, NLJ.

²⁵⁷ Desch Obi, *Fighting for Honor*, 40.

ground and in open air” around the selected dancers who maneuvered according to the tempo set by the clapping of hands from those who formed the circle.²⁵⁸ Viewing the ceremony from the vantage point of the African diaspora it is apparent the slaves utilized ritual maneuvers centered within circular formations that held cosmological significance.

In his final notation upon the ceremony Carsten noted that slaves spent the entire night in celebration, which paralleled with traditional African practices of celebrating for extended periods following the wedding. Obviously, labor requirements prevented a duplication of the 48 to 72 hours that some European travelers claimed for Atlantic Africans, but the notion that a marital union lasted until labor requirements forced them to cease reveals a desire held by many slaves to adjust the traditions of their homeland to meet the needs of the new setting, without sacrificing the integrity of the practice.

Carsten’s narrative went on to suggest that the festivities associated with dancing and eating portrayed Africanized performances, in which couples who danced featured “two pairs of individuals standing close to each other, hopping and jumping about. They form in a row, holding each other and running about...they nod their heads and stamp their feet.”²⁵⁹ While no appellation was given for the movements of these anonymous African dancers, the description falls into the category of “diasporic dance” among Africans in the diaspora. As described by historian John Charles Chasteen, these motions were “fluid and variegated...not a set of discrete dances...defined by a unique name and specific step.”²⁶⁰ The communal nature of this celebratory dancing is highly reflective of Old

²⁵⁸ Sweet, “The Evolution of Ritual,” 73.

²⁵⁹ Carstens *St. Thomas in Early Danish Times*, 79.

²⁶⁰ John Charles Chasteen, *National Rhythms, African Roots: The Deep History of Latin American Popular Dance* (Albuquerque: University of New Mexico Press, 2004), 190.

World backgrounds evolving within a new environment. Similarly, when they partook of their food following the nuptials they sat “on the ground round about the food tray, leaning on the left elbow and shoving the food in with the right hand.”²⁶¹ Emphasis upon the utilization of the right hand likely reflects notions of the uncleanness of one’s left side that was common in both Islamic and animist cultures throughout Atlantic Africa.

In shifting focus to the British West Indies, one example from Jamaica reveals the ability of enslaved Africans to create new ceremonies that delineate the impact of slavery on the ritual enactments of the diaspora. In the eighteenth century Jamaican planter Edward Long observed a divorce ritual in which two slaves vertically split a “*cotta*” in half upon mutual severance of the marriage and each took one half of the mangled item. The *cotta* was a basket made of dried plantain leaves that enslaved Jamaicans placed on their heads when carrying heavy loads. Upon first glance this ritual appears to exist for the sole purpose of publicly displaying that the couple’s assets have been equally divided, as it would have been impractical for slaves to destroy such a useful item. Long, however, continues his brief description with a revealing point: “on the voluntary divorce of man and wife, it is cut in two, and each party takes half; as the circle was a symbol of eternity, and the ring of perpetual love or fidelity, so this ceremony, perhaps, is meant to express the eternal severance of their mutual affection.”²⁶² While brief, Long’s description of this mutual slave divorce is peculiar when placed in reference to his general conclusion about Afro-Jamaican promiscuity. Long’s *History of Jamaica* was highly critical of enslaved morality, and he frequently deployed racialized depictions of

²⁶¹ Carstens *St. Thomas in Early Danish Times*, 79.

²⁶² Edward Long, *The History of Jamaica; or, General Survey of the Antient and modern State of that Island: with Reflections on its Situation, Settlements, Inhabitants, Climate, Products, Commerce, Laws, and Government* vol. 2 (London: T. Lowndes, 1774), 413.

black female sexuality that stressed African predispositions to promiscuity. Long even followed the somewhat popular opinion that Africans copulated with orangutans, as he proposed that according to the hierarchy of species blacks were placed between Europeans and the primates. In referencing ethnic groups of southwest Africa, Long surmised “I do not think that an oran-outang husband would be any dishonor to an Hottentot female.”²⁶³ Thus, one receives a polarized depiction of what Long thinks, and what he actually observed. While Long promoted the notion of African heathenism and immorality, his observations concerning the civility in which Africans divorced while enslaved in Jamaica cause one to reassess how an individual’s philosophical discussions of human difference corresponded to their actual field research.

Despite the interpretive obstacles, Long’s observation provides an interesting glimpse into an Afro-Jamaican cosmology that stressed the eternal nature of their marital engagements. Despite their amicable separation, this enslaved couple needed to perform the ceremonial rites that nullified the union. Once again, while the primary sources do not feature any direct African antecedents that mirror this ritual practice, viewing it through a diasporic paradigm provides context for this ritual maneuver. Splitting the cotta was likely a method through which slaves divided their assets equally, since they typically did not hold legal property and no formal dowry was presented at the time of the slave marriage. Perhaps more importantly, severing the “ring”, which the opening of the cotta represented was certainly rooted in African cosmology. In addition to the cosmological value that manillas and other circular objects popularized in Atlantic African societies, we see an emphasis upon the connections between circles and the eternal nature of the

²⁶³ Long, *The History of Jamaica*, vol. 1, 364.

soul. Even in the post-emancipation era, Methodist missionary John Horsford noted that former slaves still viewed the ring as a representation of marital stability:

The ring is considered the emblem of the conjugal state; and in cases of disputes between husbands and wives it has been often destroyed, and the union temporarily annulled; and not infrequently, when the parties have reconciled, the same ring has been taken to a goldsmith to be repaired, and then carried to the Minister of religion, that he may again place it on the finger in the presence of the husband.²⁶⁴

In this instance the parties apparently embraced a Christian ceremony, in which rings were typically placed upon the finger and performed in front of an ordained clergyman. However, the symbolism of this gold ring recalled the ring-shaped *cotta*, in which the destruction of the object represented the severance of the union. Horsford's description also provides the additional information concerning the reassembling of the ring as a correlation for the reparation of the marriage. The perpetuity of this ritual among Afro-Caribbean slaves is strong testament to its cosmological importance even after slavery. Thus, while it is possible that Long understood very little about Jamaican slave culture, his theory that slaves understood the severance of the circle as the most important component of the divorce ritual was correct, and it revealed the high importance symbols and cosmology held within the marriage customs of the slave community.

African marriage practices changed in the diaspora due to circumstances of enslavement, cultural amalgamation, and foreign landscape, but evidence does suggest

²⁶⁴ John Horsford, *A Voice from the West Indies; Being a Review of the Character and Results of Missionary Efforts in the British and Other Colonies in the Charibbean Sea with Some Remarks on the Usages, Prejudices &c, of the Inhabitants* (London: Alexander Heylin, 1856), 55.

that components of African marital culture retained an important presence in the lives of colonial slaves. As slaves were typically able to select their own spouses in the sugar islands they approached courtship rituals through similar methods as their counterparts in Atlantic Africa. According to C.G.A. Oldendorp, a Danish missionary who held extensive knowledge of African cultures and their influences among slaves in the sugar colonies, when a slave “decided to marry a certain person, he seeks first to obtain the consent of her parents, thereafter approaching his intended bride herself, as is the custom in Guinea.”²⁶⁵ While Oldendorp noted that masters expressed little concern for their slaves’ spousal selection the rules of master-slave relations determined their permission was an additional requirement in the betrothal process. Oldendorp observed that the stipulations of the slaves’ relationship apparently followed African worldviews, in that the husband was obligated to provide the wife clothes, shelter, and other material goods, and she performed the traditionally domestic tasks of cooking, sewing, and washing. Obviously, the notion that the woman was required to till the husbands ground was erased under slavery since both sexes were required to toil in the intensive sugar economies of the Caribbean islands. Thus, slaves needed to adjust and reorient certain components that factored into their ancestral customs, but the fact that they tried to recreate and reimagine important cultural traits within the marriage rite pushes against the notion that slaves socially died upon their landing in the sugar colonies.

One of the paradoxes of slave marriage in many West Indian colonies was the ability of women to assert more autonomy in the marital relation than may have been

²⁶⁵ C.G.A. Oldendorp, *History of the Mission of the Evangelical Brethren of the Caribbean Islands of St. Thomas, St. Croix, and St. John*, ed. Johann Jakob Bossard, trans. Arnold R. Highfield and Vladimir Barac (Ann Arbor, MI: Karoma Publishers, Inc., 1987), 261.

possible in African societies. Historian Trevor Burnard argued that in Jamaica “African women had more control over domestic arrangements than they had in Africa, a reality that often troubled their men...It was not so much that slave women were powerful as that slave men were powerless.”²⁶⁶ Oldendorp noted that slave wives held the ability to sever their unions if they were not provided clothes, a house, “or if she becomes jealous over his other wives.”²⁶⁷ The statement has interesting connotations for the social dynamics of the slave union. One of Oldendorp’s contemporaries, Hans West, noted that slaves were subject to strong passions and jealousy, “and it might be said that most arguments or fights among Negro women arise from this cause.”²⁶⁸ Due to the fact that they could sever the union with more freedom than their counterparts across the Atlantic, it appears that these slave women were not bound by the obligations of kinship and social networking as they existed in Africa. Many African societies demanded some form of financial retribution if one spouse severed the relationship, but no commentaries suggest that similar functions were demanded by the slave communities who shared connections through kinship.

Much of this lies within the paradoxes of examining polygamous marriage practices in chattel slavery. From a socio-legal perspective, the accumulation of multiple wives by enslaved men would appear inherently different than among the wealthier

²⁶⁶ First quote in Trevor Burnard, “Theater of Terror : Domestic Violence in Thomas Thistlewoods’ Jamaica, 1750-1786,” in *Over the Threshold: Intimate Violence in Early America*, eds. Christine Daniels and Michael V. Kennedy (New York: Routledge, 1999), 246. Second quote Trevor Burnard, *Mastery, Tyranny, and Desire : Thomas Thistlewood and his Slaves in the Anglo-Jamaican World* (Chapel Hill: University of North Carolina Press, 2004), 204. For a similar contention see Michael Mullin, *Africa in America : Slave Acculturation and Resistance in the American South and the British Caribbean, 1736-1831* (Urbana : Board of Trustees of the University of Illinois, 1994), 171.

²⁶⁷ Oldendorp, *History of the Mission*, 261.

²⁶⁸ Highfield, ed., *Hans West’s Account*, 102.

classes in Atlantic Africa. Elite Africans used polygyny as a method to expand their social networks, but one could argue that similar goals for enslaved Africans would have been superfluous in New World slavery. Enslaved males had no legislative claim to their spouses, providing the woman an opportunity to exit the relationship for whatever reason she chose. While the slave community could certainly hold some sway in convincing her to remain in the union, the master held the final decision. The master was more concerned with the potential benefits of the woman's capacity for breeding, and probably worried less about the woman's particular mate as long as she reproduced with someone. Since slaves could not legally accumulate property and were subject to the regulatory control of their white masters, additional wives provided no legally recognized social capital. However, even if the economic incentive for polygamy no longer functioned in the same way as its predecessor in Atlantic Africa, a number of documents reveal some slaves still acquired multiple spouses as a display of social prestige and continuity with tradition. Exploring slaves' reasons for engaging in polygyny is critical for comprehending its residual functions for African-descended peoples trapped in a uniquely oppressive environment, and how they re-imagined a social practice that was a prime feature of their ancestral societies.

Polygyny and Domestic Relations

While the demographic circumstances of most sugar colonies curtailed many enslaved males' attempts in securing multiple wives, polygynous relations continued in the colonies among certain individuals. From a strictly economic standpoint, some observers noted that masters generally did "not care whether his male slave has one or more wives,

as long as he does his work.”²⁶⁹ In certain respects, one could argue that the face of polygyny within the colonies was not terribly different than that of Atlantic Africa. Polygynous marriage was usually only available to a rather small percentage of individual men throughout Africa, and their access to the institution was due to the wealth being concentrated among a tight-knit group of aristocratic families. Slave practices were likely similar in that only a few prestigious slaves gained access to multiple women simultaneously, particularly if one considers the unfavorable demographic ratio of women to men in the sugar colonies. However, such practices were ubiquitous enough that commentators noted that slaves acquired this preference from their “fatherland”, and while they were “restrained to a certain extent in their practice of polygamy by their slave status, they have not given it up, because many a slave has two or three wives.”²⁷⁰ Thus it appears that masters were willing to concede this position to their favored male slaves due to the supposed predilection some of them held for maintaining the ancestral custom.

In slightly more detail, the 1657 account of British trader Richard Ligon noted only the slave who the master considered a “brave fellow”, and who “held extraordinary qualities” was allowed “two or three wives, and above that number they seldom go: but no woman is allowed above one husband”²⁷¹ Ligon noted that masters typically acquiesced to the demand amongst their male slaves for wives, and the women, once purchased, would usually line in a row and “the bravest fellow” would choose first, and the others would follow him based upon their own rank, for “every one of them knows

²⁶⁹ Haagensen, *Description of the Island*, 55.

²⁷⁰ Oldendorp, *History of the Mission*, 244.

²⁷¹ Richard Ligon, *A True & Exact History of the Island of Barbadoes* (1657; reprinted in London: Frank Cass and Company, Ltd., 1976), 47.

his better, and gives him the precedence.”²⁷² Ligon’s observations suggest that enslaved Africans, to the extent they were able, attempted to reassert their masculinity based upon socio-cultural precepts of African polygyny. It appears that traditional African courtship methods may have been more or less erased in these instances due to Barbados’ reliance upon slave importation, making the approval of the bride’s family largely unnecessary until the island’s slave population was able to naturally increase itself by the nineteenth century. In this instance, however, the fact that polygyny and the premier spousal selections were reserved for the most elite members of the slave community bears resemblance to those notions of social structure common in Atlantic Africa. While Ligon does not detail the degree of agency manifested by the enslaved women, it is likely they held little choice in this matter as they were delivered to the male shortly after they were purchased from the slave ship.

Masculine dominance in the domestic state was certainly complicated by the restrictions to autonomy wrought by the slave system. As male slaves were subject to the punishment of the master who disapproved of the male ill-treating his wife their station as a family patriarch was precarious, if not entirely voided. However, enslaved males sought to recapture some form of masculinity and it was at times acted out through domestic violence. Of course, uncovering instances of slaves’ domestic issues presents numerous problems since these actions were usually outside the surveillance of colonial legislation. Within a society where heads were displayed on pikes as warnings against further rebellions, or masters bloodied the backs of servants for minor infractions, much of this population was probably relatively desensitized to most acts of violence, particularly if

²⁷² Ligon, *A True and Exact History*, 47.

they were personal quarrels that did not interfere with the writer's own life. If domestic abuses among slaves were recorded at all, masters only did so for very specific reasons that usually revolved around the issue's interference with the slaves' productivity. Despite the difficulty in uncovering an extensive collection of domestic abuses within the slave quarters a surprising number do exist through the establishment of slave courts in newly-acquired British territories, as well as the writings of the notorious Jamaican sugar planter Thomas Thistlewood. The court documents come through substantial collections called "Reports of the Protectors of Slaves," a legislative body that was instituted in the 1820s as a method to ameliorate the conditions of slaves.²⁷³ While it was not a fool-proof system in guaranteeing slaves protection from the master's abuse, they did provide a realm in which the slaves could file a complaint against both their owners and other slaves in a legally recognized court of law. For historians this becomes a particularly rich body of evidence as it sometimes features verbatim slave testimonials and an internal glance at the social dynamics of the slave communities as they functioned in certain areas of the British Caribbean.

Both husbands and wives attacked their partners upon a disagreement, but as with free people enslaved men catalogued the most references in the legal books of domestic violence. In the year 1830 the Protector of Slaves for British Guiana noted 15 cases of enslaved men convicted of "beating and ill-treating their wives", while 5 women were

²⁷³ A few scholars have utilized these sources for investigations into the internal operations of slave life in other societies, see: Isobel Eiryls Edwards, *Towards Emancipation: A Study of South African Slavery* (Cardiff: Gomerian Press, 1942); E. Hengherr, "Emancipation and After: A Study of Cape Slavery and the Issues Arising from it," (unpublished M.A. Thesis: University of Cape Town, 1953); John Edwin Mason, "The Slaves and their Protectors: Reforming Resistance in a Slave Society, the Cape Colony, 1826-1834," *Journal of Southern African Studies*, 17 (1991): 103-128.

prosecuted for “striking, abusing, and provoking husbands.”²⁷⁴ The notion of slave women “provoking” their husbands holds interesting clues into how British authorities expected the domestic relation to function. Modern scholarship that examines the psychology of domestic violence proposes that women victimized by domestic abuses are either blamed for, or concede their part in, “provoking” their spouse’s rage. According to recent findings from one research team, “Focus groups reported that a woman who is a victim of abuse may be advised by her parents, friends, in-laws, and neighbors of her duty to accept the shame of mistreatment for provoking her husband.”²⁷⁵ Thus, slave women were conditioned under the written law that a husband’s response to her insubordination was merited through his violent reaction. While it appears that an enslaved male could be punished for abusing his wife, even after her apparent provocation, the fact that she was still punished for the trivial offense of verbally challenging her husband is suggestive of how western traditions of the domestic order were also imposed upon the slave community. While the numbers appear small in the total offenses listed, it is important to remember that these only comprise the cases reported to outside observers. Such cases were probably only reported due to the slave owner’s concern for order within the slave community, as slaves quarreling and fighting

²⁷⁴ CO 116/158, Reports of Protectors of Slaves, National Archives at Kew, United Kingdom (hereafter NA-K).

²⁷⁵ Ana Maria Munoz Boudet, Patti Petesch, and Carolyn Turk with Angelica Thumala, *On Norms and Agency: Conversations About Gender Equality with Women and Men in 20 Countries* (Washington, D.C.: The World Bank, 2013), 72. For other recent studies that draw similar conclusions see Eve S. Buzawa, Carl G. Buzawa, and Evan Stark, *Responding to Domestic Violence: The Integration of Criminal Justice and Human Services* (Thousand Oaks, CA: Sage Publications, 2013), 407; Audrey Mullender, *Rethinking Domestic Violence: The Social Work of Probation Response* (New York: Routledge, 1996), especially chapter 2.

amongst each other was viewed as an affront to the master's authority and made for an inefficient body of laborers.

Enslaved men usually faced two different forms of punishment for domestic violence. In a report from the island of Berbice sixteen men faced punishment for abusing or ill-treating their wives. The report is not specific as to how the offenses were calibrated, but it lists that ten of these slaves were punished by flogging, while the remaining six were "punished by Confinement in Stocks, or otherwise."²⁷⁶ Women were only punished by solitary confinement or stocks, a tradition that likely paid lip-service to the abolitionist "fervor" of the 1820s that criticized the practice of flogging slave women.²⁷⁷ The difference between ill-treatment and "beating" is vague in the narratives, but the differences can be measured by the punishments meted out to the offenders. On December 30th, 1827 an enslaved male named Daniel was accused of ill-treating his wife and spent "two nights and one day [in] bedstocks," while another slave named Joseph was convicted of "striking one of the women" and received twenty five stripes.²⁷⁸ It appears that in the latter case the woman that Joseph struck was not his wife, but possibly his lover, friend, or an associate of some other kind. The fact that Joseph still received corporal punishment for mistreating someone who was not married to him suggests the important components of control the colonial laws attempted to enforce. While it is likely that a number of undocumented examples show that males within the slave community

²⁷⁶ CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, NA-K.

²⁷⁷ Quote from Verene A. Shepherd, "Ethnicity, Colour and Gender in the Experiences of Enslaved Women on Non-Sugar Properties in Jamaica," *Trans-Atlantic Dimensions of Ethnicity in the African Diaspora*, eds. Paul E. Lovejoy and David V. Trotman (New York: Continuum, 2003), 210.

²⁷⁸ Daniel was brought to trial Dec. 30, 1827, and Joseph on Sept. 26, 1827, in CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, Reports of Punishments for Slaves, NA-K.

continued to exert their dominance over both other men and women in the slave quarters, the fact that they were now more closely monitored through a legal body severely curtailed the former autonomy they probably experienced prior to the establishment of the Protector of Slaves.

The evidence displayed through these sources is particularly important for what it reveals about the social dynamics of slave relations in the West Indies. While most descriptions are typically abrupt and provide no historical background that led to the incident, even these short passages help the scholar assess the instances of dysfunction within the slave community. Issues with jealousy, deceit, adultery, violence, and even mutilation permeate the records. While males were certainly not the only group to inflict violence they did predominate in the available references and their crimes usually detailed assaults upon those parties considered physically weaker. One man named “Kreoskop” burned his wife with a stick; Adrian and April [a male] both struck their own mothers; Apollo attempted to “stab his former wife”; Carl was punished with 21 stripes “on his posteriors” for beating his wife in a “brutal and unmerciful manner”; and Leiglar received corporal punishment for having been caught “in bed with another man’s wife.”²⁷⁹ For women the offenses were similar, as two women named Flora and Hendrina fought and quarreled over a man, and a woman named Lisette was charged with “Beating the woman Betse without a cause.”²⁸⁰ However, women sometimes wielded their

²⁷⁹ For clarity I will list the dates of each slave’s conviction followed by the general reference: Kreoskop-Plantation Opstooop van Betoe, Oct. 24; Adrian-Plantation Opstooop van Betoe, Nov. 25; April-Plantation Nourd Holland, July 28; Apollo-No Plantation listed, Dec. 3, 1827; Carl- No plantation listed, July 9 1827; Lieglar-No plantation listed, July 27, 1827, all in CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, Reports of Punishments for Slaves, NA-K.

²⁸⁰ Flora 1, Flora 2, and Hendrina-No plantation listed, Dec. 28, 1827; Lisette-Plantation Ithaca, July 26, in CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, Reports of Punishments for Slaves, NA-K.

authority against those who initially might have seemed more physically dominant. On Aug. 15, 1827 Flora was placed in “bedstocks” for “ill-treating her husband”, while Sally endured 36 hours solitary confinement for saying to the overseer that his mother “was a Bitch.”²⁸¹

The sources also reveal a number of rather complicated situations in which enslaved women and men were caught within complicated love-triangles. On two separate occasions a female slave named Africa faced retribution for her role in instigating two quarrels. In the first quarrel she was accused of beating a slave named Betsy, and both were punished for the conflict. Only five and half weeks later she became embroiled in a conflict between two male slaves named Holland and Corridon. Africa was the apparent wife of Corridon, but evidence suggests she was sleeping with Holland as the protector notes she was “a great whore, and frequently detected with other men,” and to further complicate the situation it was noted that “Corridon has also another wife.”²⁸² Perhaps Africa’s initial quarrel with Betsy dealt with her infractions in trying to seduce Betsy’s lover or husband, but it certainly seems that Africa found herself in the middle of a complicated love triangle that required the intervention of a power outside the slave community. Looking closely, it appears that it was general knowledge that Corridon had a second wife. Corridon’s anger that Africa was copulating with another man recalls cultural precedents from Atlantic Africa in which the polygamous male expected his wife to practice sexual monogamy with him, while he was free to acquire other women

²⁸¹ Both punishments are listed in CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, Reports of Punishments for Slaves, NA-K.

²⁸² First case took place on July 17th, 1827; the second conflict was dated August 18th, 1827, in CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, Reports of Punishments for Slaves, NA-K

through marriage. In certain respects the “one night in bedstocks” that served as the punishment for the adulterers may have been preferable to certain African traditions that required a sum paid to the husband for restitution.²⁸³ While the slave community certainly dealt with these infractions internally, the constant gaze of the master class alongside the threat of certain slaves who were willing to report the infractions likely interfered with cultural practices that prior to the nineteenth century were dealt with among the slaves themselves.

The perpetuation of domestic squabbles and infighting suggest that slaves still preferred to sort out their differences themselves, despite the possibility of punishment. Indeed, a few slaves were repeat offenders. In a period of ten days an enslaved male named Walter was accused of abusing a woman named Louisa and subsequently ill-treating his own wife, Antoinette, for which his respective punishments included one night confinement and 25 lashes from the whip.²⁸⁴ Largely stripped of legally secured authority, enslaved men used domestic abuse as a method to assert authority within their own domains. While the above-referenced cases suggest that repercussions could be meted out to those males found guilty of abusing females without cause or reason, at times masters selected particular enslaved males to wield immense authority over their counterparts. The journals of Jamaican sugar planter Thomas Thistlewood show he elected his oldest male slave Lincoln to serve as “a special assistant to his master.” At times Lincoln served as a slave driver, but even when he was relieved of his position for

²⁸³ For primary sources that display the forms of divorce in various parts of Africa see Burton, *Wanderings in West Africa*, 24; Cruickshank, *Eighteen Years*, vol. 2, 198. Death was an especially popular form of punishment in Dahomey, and usually reserved for the wives of kings, see Forbes, *Dahomey*, 82.

²⁸⁴ “L’Enterprise plantation- Oct. 9 and Oct. 19, 1827,” CO 116/144, Berbice: Reports of Protectors of Slaves, 1 Sep. 1827-31 Aug., 1828, Reports of Punishments for Slaves, NA-K.

being “Notoriously headstrong and Roguish” he received the favor of Thistlewood in taking what he desired.²⁸⁵ Lincoln had a wandering eye and was given multiple wives. He violently attacked most of them for different reasons, but when Thistlewood suspected him of committing violence against an individual slave he often found few slaves who would testify against Lincoln. The slave community apparently feared that Lincoln would exact revenge against anyone who dared to testify against him.²⁸⁶ Lincoln was both opportunist and survivor, and while his masculine identity was always somewhat precarious due to his subordination to Thistlewood, his conditions as a head slave provide an apt example of how some males slave carved out their own masculine space within the plantation. Numerous individuals like Lincoln doubtlessly existed, but few were catalogued as thoroughly as those found in Thistlewood’s diary.

The Influences of Abolitionism and Amelioration

As abolitionists made a push for closing the transatlantic slave trade concerns persisted in how planters would adjust their practices in dealing with slaves. Much of this centralized within the notion that slave owners should adopt the “breeding instead of the buying system.”²⁸⁷ These questions were so pertinent prior to the closing of the Atlantic slave trade that William Wilberforce wrote his fellow abolitionist friend William Smith that he should meet with future US president James Monroe, who was at the time serving

²⁸⁵ First quote from Donoghue, *Black Breeding Machines*, 317; Second Quote Burnard, *Mastery, Tyranny, & Desire*, 197-198.

²⁸⁶ Burnard, *Mastery, Tyranny, and Desire*, 201-204.

²⁸⁷ August 18th, 1806, “Letters from William Wilberforce”, in William Smith Papers, Box 1, David M. Rubenstein Rare Book & Manuscript Library, Duke University. Hereafter cited as Rubenstein Library.

as the American minister to Britain. Wilberforce beseeched Smith to ask Monroe to provide:

...any information that may be useful to us concerning the increase of slaves in America, the prevalence of task work, the quantity of food allowed [etc.]...I almost think of writing him myself; but you will probably be able to see him and a thousand points may be elucidated and ascertained in conversation which must be left unsettled by written intercourse.²⁸⁸

Wilberforce understood that information from other areas in the Anglo-Atlantic world could be useful when abolitionists were pleading their case for closing the slave trade. While abolishing the trade served as an initial step in their hopes to eventually abolish slavery throughout the colonies, they understood that in order to convince those planters and legislators who had a vested interest in slavery's existence, they would need to demonstrate that natural increase of the slave population was economically feasible. As areas in the United States by the mid-eighteenth century witnessed success in promoting the natural increase of slaves without importation, this private correspondence suggests that some abolitionists looked to the United States as a possible example.

Abolitionists generally concluded that Caribbean slavery was an unjust system controlled by immoral men, and usually blamed masters for the tumultuous circumstances of slave matrimony. They interpreted slave practices of polygamy, promiscuity, and indifference to the Christian ritual as products of the oppressive slave regime that promoted economic interests over spiritual instruction. At times, some

²⁸⁸ Letter to William Smith, Aug. 18th, 1806," William Smith Papers, Box 1, Rubenstein Library. Another reference to America and the tasking system as a method for natural increase is found in "L. Macaulay to William Smith, 15 Sept. 1806," William Smith papers, Box 1, Rubenstein Library.

concessions were made to fit the slave owner's economic interests. According to Richard Dunn sugar planters in Barbados and Jamaica during the mid-eighteenth century investigated the notion of "funneling a small part of the money they had been spending on new slaves into ameliorating the living conditions of those they already had", in hopes they could increase birthrates and reduce the rate of natural decrease.²⁸⁹ At this point their intentions were purely economic as they "were ready to ameliorate the conditions of slavery, but not to civilize the Negroes."²⁹⁰ These initial programs for reform were used to encourage natural increase and not necessarily promote Christian marriages. Masters remained relatively ambivalent toward how slaves engaged one another sexually, but sought more to ensure that adequate nutrition and healthcare was provided to promote higher birthrates and gradually ease themselves from sole reliance upon the transatlantic slave trade. At this point no legislative demands encouraged slave owners to introduce their slaves to Christian forms of matrimony, and even upon the Anglican-owned Codrington plantation in Barbados slaves continued to resist Christian indoctrination until the close of the eighteenth century.²⁹¹ However, as abolitionism gained ground throughout Britain calls for humanitarian reforms reverberated throughout the British Atlantic and prompted the first significant attempt at reforming the slave system of the sugar colonies.

²⁸⁹ Dunn, *Sugar and Slaves*, 324. Also see Michael Craton and James Walvin, *A Jamaican Plantation: The History of Worthy Park, 1670-1970* (Toronto: University of Toronto Press, 1970), 129-131, 195-197.

²⁹⁰ Bennett, Jr., *Bondsmen and Bishops*, 91.

²⁹¹ J. Harry Bennett, Jr., "Of the Negroes Thereon," in *Codrington Chronicle: An Experiment in Anglican Altruism on a Barbados Plantation, 1710-1834*, ed. Frank J. Klingberg (Berkeley: University of California Press, 1949), 99-100. Jerome Handler and Frederick Lange's history of slavery in Barbados argues that significant reforms did not occur until the close of the slave trade and "the treatment of slaves was usually discussed by planters in the context of mortality rates and the need to provide an environment conducive to their natural increase", in Handler and Lange, *Plantation Slavery in Barbados: An Archaeological and Historical Investigation* (Cambridge: Harvard University Press, 1978), 83.

The amelioration programs of the late-eighteenth century were most concerned in lessening the brutality of the slave system in the eastern Caribbean. Historian David Barry Gaspar noted the “Leeward Islands Amelioration Act” was due to Caribbean planters’ realizations that the discussions about regulating and eventually abolishing the slave trade were “only stepping stones to a more concerted attack on slavery itself, so they and their supporters in Britain seized the initiative by agreeing to improve the conditions of slavery to reduce their reliance on the slave trade for new supplies in slaves.”²⁹² Thus, similar to the measures promoted in the mid-eighteenth century the humanitarian connections to the planters’ acquiescence is questionable since their prime concern was to ensure that slaves were continually replenished by either importation or natural increase. Unsurprisingly, marriage featured as a key component of these legislative reforms. Even prior to the act, however, the British government had advised colonists to bestow special favors upon those slaves who pursued stable, monogamous marriages by providing them incentives with “some marks of distinction or favour, such as a difference of dress, or some pecuniary annual rewards on such parents as shall have reared a child; those rewards to increase with the number of children.”²⁹³ The focus upon precreation was a strong incentive for masters who sought to simultaneously salvage the system and promote its Christian merits to the rising tide of abolitionist criticism.

As with earlier suggestions for reform, the hope for natural increase took precedence over any strenuous concern for slaves to embrace Christian rites of

²⁹² Gaspar, “Ameliorating Slavery,” 241. For a detailed examination on this moment of abolitionism see David Brion Davis, *The Problem of Slavery in the Age of Revolution, 1770-1823* (Ithaca: Cornell University Press, 1975), 386-522.

²⁹³ Quoted in B.W. Higman, *Slave Populations of the British Caribbean, 1807-1834* (Baltimore: Johns Hopkins University Press, 1984), 351.

matrimony. One reformer admonished slave owners to encourage slaves to perform “a Marriage, or something to that effect” to increase the slave population, and while a joint legislature in Antigua opposed the idea of formal marriage celebrated through the church, “its members were prepared to support religious and moral improvement of slaves by other means.”²⁹⁴ While the legislation cracked down upon overtly harsh punishments and instances of masters ignoring the nutritional requirements of their slaves, this early amelioration law failed to promote any meaningful reforms that would allow slaves to access the right to a legally protected marriage. In reflecting upon this law in the early 1820s, noteworthy abolitionist William Wilberforce denounced it as a futile attempt that only placated the rights of the slaveholders, and that those meliorating acts plainly intimated “the very position I have been laying down, that slaves are considered as too degraded to be proper subjects for the marriage institution.” He then classified the want of marriage as the issue that was “the most influential in its immoral and degrading effects” for slaves’ moral developments in the West Indies.²⁹⁵ Thus, encouragement of Christian matrimonial rites was a moot issue in these early reforms and established a tradition in the nineteenth century of slaves who continued to form relationships that were molded from a combination of African precedents and the circumstances of slavery under British law.

The lack of a sustained program to encourage slaves to conform to Christian marital orthodoxy troubled ministers and other visitors who came to sugar islands in the nineteenth century. Most observed that slaves continued to practice what they perceived

²⁹⁴ Gaspar, “Ameliorating Slavery,” first quote 253, second quote 254.

²⁹⁵ William Wilberforce. *An appeal to the religion, justice, and humanity of the inhabitants of the British Empire in behalf of the Negro slave in the West Indies* (London: J. Hatchard and Son, 1823), first quote 15, second quote 16.

as haphazard divorces and polygyny. Some perceived that the most immediate danger springing from the lack of measures that forced slaves to conform to Christian matrimony was in the notion that too many slaves were accustomed to engaging in the marital relations through their own volition. In this observation, the slaves' liberty in continuing their own sex customs caused them to reject Eurocentric marriages: "A negro fully acknowledges the authority of his master in regard to his labour: but boldly disclaims his right to control or interfere with his inclinations and free will in matrimonial connections; and any attempt to direct him in these particulars has always been found to produce an opposite effect."²⁹⁶ The paradox of slavery in this regard centralizes within the notion that a master's disinterest in slave matrimonial patterns could provide greater opportunities for enslaved Africans to promote continuity and connection to African principles of marriage. At the very least, it seems to have even encouraged a resistance to the European approach. The dilemma for both reformers and abolitionists became how they could possibly overturn cultural practices that had existed among West Indian slave communities for over two centuries.

If the discourses of abolitionists in the early-nineteenth century were accurate it appeared very little changed in regards to slave matrimony in the West Indian and Atlantic islands in the 1830s. Baptist minister Benjamin Godwin accused masters of herding their slaves together like cattle with the sole interest of increasing the population naturally and claimed they held little regard for the marriages of slaves. Even when masters faced pressures from Britain, Godwin was skeptical any legitimate changes

²⁹⁶ Alexander Barclay, *A Practical View of the Present State of Slavery in the West Indies; or, An Examination of Mr. Stephen's "Slavery of the British West India Colonies:" Containing More Particularly an Account of the Actual Condition of the Negroes in Jamaica: With Observations on the Decrease of the Slaves Since the Abolition of the Slave Trade, and on the Probably Effects of Legislative Emancipation* (London: Smith, Elder & Co., 1828), 100.

would take place: “Since the loud and deep reprobation of England has been heard across the Atlantic there has been a shew of patronizing marriage; but small indeed are the sanctions which the law affords to the state, and few are the encouragements which the Negro has to enter it.”²⁹⁷ Far from a simply passionate denunciation of slavery, Godwin was on firm ground in his accusations. In 1826 the House of Commons released the “Returns from the Slave Colonies” that held disappointing results for advocates of slaves’ Christian marriages. Various colonies reported their dismal returns in the category of encouraging slaves to embrace Christian marriage. In the combined returns from Demerera, Berbice, Tobago, and the Virgin Islands, a total of one slave marriage was recorded in the Anglican registers.²⁹⁸

An even closer examination of individual marriage registers in the late-1820s reveals the number of Christian marriages performed among slaves remained dismal, even in the midst of reports that slaves were generally embracing Christianity at much higher rates. While listing each parish in each colony would be exhaustive, this section will use representative examples and discuss their importance for how we view matrimony from the perspective of the enslaved laborers, and not the white population. The answers dealt with the year 1828, and were typically delivered by the parish priest responsible for all congregants of the particular district, including the slaves. The ministers repeatedly reported negative results in convincing slaves to embrace the Christian marital standard. At times the answers were overtly abrupt. When asked how many slaves were married in that year Rev. Fawell of St. Swithin’s in Trinidad simply

²⁹⁷ Benjamin Godwin, *The Substance of a Course of Lectures on British Colonial Slavery: Delivered at Bradford, York, and Scarborough* (London: J. Hatchard and Son, 1830), 58.

²⁹⁸ Godwin, *The Substance of a Course of Lectures*, 58.

replied “none” while his counterpart in Trinidad parish stated “None solemnized in 1828.”²⁹⁹ Similar circumstances were found in church reports from St. George, Antigua and Christ Church, Barbados. In the former the priest reported no slave marriages took place in that parish, while the latter explained “marriages between slaves are not very frequent; I have solemnized none this year.”³⁰⁰ Why were slaves still not getting married in the churches? One reason that is often promoted is that the masters largely forbade their slaves from embracing Christian marriage rituals. While there is some truth to the statement the reports do not suggest this was the reason at all, but they frequently accused the slaves as the ones making the conscious decisions to refuse the ceremony.

In the Bequia parish of St. Vincent, Rev. Charles Layton revealed he married no slaves that year, for “they seem as much prejudiced against it as ever.”³⁰¹ As noted earlier, missionaries and other churchmen were never shy in criticizing the planter class for either forbidding, or failing to encourage their slaves to learn of Christianity, particularly when reporting to their superiors across the Atlantic. The fact that these reports do not suggest the masters were the primary roadblock to indoctrinating slaves in Christian morality reveals that it was the slaves themselves who were primarily responsible for rejecting Christian marriage. The Rev. John Tucker of St. Peters Parish in Demerara was slightly more optimistic in the future of slave matrimony, but he essentially submitted a similar opinion as Layton. He noted that convincing slaves to marry, at least in his parish, was a difficult task. He did report, however, that he performed three marriages for that year and published the banns of one couple, leading

²⁹⁹ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

³⁰⁰ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

³⁰¹ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

him to conclude “that the prejudice they have against marriage is on the decline.”³⁰² The notion that the slaves held the prejudice is interesting, suggesting that while Tucker believed he was breaking through the cultural barrier the slave population still held reservations in submitting themselves to Christian marriage standards. Indeed, one other Anglican priest of St. Mary’s in Demerara noted that slaves were only compelled to marry “whenever they wish to become *true* Christians, and enjoy the privileges and rites of Christians.”³⁰³ In many respects this latter statement suggests that a most accurate measure of slaves’ religiosity within Christendom was their embrace of the rituals that followed baptism, arguably the most important of which was marriage.

Similar optimism was expressed in a few other areas, but the relative numbers of slaves who actually embraced Christian matrimony remained small when compared to their majority status in the colonies of the West Indies. In Kingston Parish of St. Vincent the minister estimated about “ten a year took place”, while in Demerara Isaac Stephenson of St. Pauls reported five took place on Sept. 17, 1828, with an expectation that if the trend continued “they will be more frequent.”³⁰⁴ By far the most impressive numbers came from the aforementioned St. Mary’s in Demerara, where the Rev. Leonard Strong proudly submitted that slaves in his parish went through a rigorous interrogative process before being admitted as candidates, and he still managed to solemnize thirty four marriages in 1828 and thirty five in 1827.³⁰⁵ Whether the success was due to a stronger Christian tradition amongst these slaves or Strong’s own personal ambitions is difficult to

³⁰² CO 28 149, Correspondence from the bishop of Barbados, NA-K.

³⁰³ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

³⁰⁴ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

³⁰⁵ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

know for certain. However, one interesting component of some reports is the enmity the Anglican clergymen held with other, more successful religious institutions that demonstrated some success in encouraging Christian matrimony. In the Castries Parish of St. Lucia, the reverend reported he personally had not performed any slave marriage ceremonies, but noted “I believe a few marriages have taken place between Roman Catholic slaves.” Similarly, in Grenada a priest remarked he only married one slave, but he “felt it...proper to add, that slaves are almost all Roman Catholics, and that marriages are frequently performed among them by the Priest of that persuasion.”³⁰⁶

Whether the priests used these statements as consolation prizes or excuses to explain the lackluster results, their inclusion is important for contextualizing how contemporaries in the nineteenth century even noticed a distinction in the two traditions. Speaking to Grenada in particular, it was a former French colony captured by the British during the Seven Years War, and it appeared to hold a firmly established tradition of Catholicism by the mid-eighteenth century. While slave societies were usually distinct in how they approached slave religious and marital practice, French slave codes were typically favorable toward slave marriage since it was considered a sacrament. In 1784 British abolitionist James Ramsay even submitted that English planters were far behind their French counterparts in encouraging slave marriage, and he cited three primary reasons for why French slaves held an “advantage” over those in British colonies: they were encouraged to marry young within the same plantation; their ceremonies were solemnized by a priest; and they usually married for life. In contrast, the culture of British slavery made slaves’ connections “arbitrary, and too frequently casual; where a male

³⁰⁶ CO 28 149, Correspondence from the bishop of Barbados, NA-K.

slave reckons it a piece of state to multiply his wives, and change them at pleasure.”³⁰⁷

The significance of these statements is in the fact that the Grenadian slaves’ Catholicism compelled them to enter the matrimonial state, something the Anglican congregations had failed to do even when their slaves were fully “converted”. Indeed, with the exception of the aforementioned St. Mary’s parish in Demerara, even slaves baptized in the Anglican church rejected Christian matrimony, much to the chagrin of the ministers who were then required to report their failures to their superiors in Britain.

Church registers suggest that abolitionist comments upon the marital unorthodoxy of the slave population held significant truth. One idea to understand is that slaves’ rejections of the church marriage do not equate to any type of immorality on their part. Departing from the Eurocentric notion of morality is critical for understanding how slaves negotiated their relationships with one another outside the view of their masters. When Europeans commented upon slaves who were not “married” they typically meant those slaves who rejected marriage through a church official. Nineteenth-century church registers from Jamaica suggest that slaves continued to forego the marriage ceremonies, even when they embraced baptism. While each island and individual parish was different, they share a common theme that most slaves remained outside the performance of Christian matrimony. For Jamaica most of the detailed evidence comes closer to slavery’s abolition, as planters were not required to keep meticulous notes on their slaves’ Christian conversions until the 1820s. Even those notes prior to 1826, however, provide very little consistent detail, as the Manchester register simply recorded slave marriages as “Henry Archibald 2 Kitty Lindsay” and sometimes it would note it was “by banns” or

³⁰⁷ James Ramsay, *An Essay on the Treatment and Conversion of African Slaves in the British Sugar Colonies* (London: James Phillips, 1784), 54.

more often “by permission”.³⁰⁸ Such entries were relatively inconsistent until 1826 when the amelioration laws were pronounced within the colonies. Among other things, these laws required that slave marriages be legally solemnized and prevented the legal separation of slave families.

Clear and consistent documentation for slaves who embraced Christian matrimony were unavailable until beyond 1826, and sometimes registers do not record slave marriages until 1830. However, the registers for St. Andrews Parish in Jamaica provide some information for the extent of slave marriages in early period since they recorded the marital statuses of the parents whose children were baptized in the Anglican Church. These references provide information for people who engaged in domestic relations with one another prior to the period of more intensive Christianization campaigns. They illustrate how many of these slaves, despite professing some allegiance to Christianity, forewent the established marital ceremony. On February 3rd, 1833 the register of St. Andrews Parish started keeping track of whether or not the parents of the slaves getting baptized were married or not. The list ends right before the apprenticeship period on July 27th, 1834. The total slaves listed as baptized for this period was 424, while the number listed as having parents as “married” was 45. Going into the apprenticeship period between August 1st, 1834 and July 24, 1836, 320 apprentices were baptized, and 44 of them had parents listed as married.³⁰⁹ In this case the statistics heavily favor the notion that slaves were willing to engage the baptismal rite, but for various reasons, forewent Christian matrimony. It appears likely that the parents of the baptized

³⁰⁸ “Manchester Marriages 1820-1826,” Manchester Baptisms 1827-1833, Marriages 1827-1834, Burials 1827-1835, National Archives of Jamaica (Hereafter NAJ).

³⁰⁹ “Register of Baptisms,” St. Andrews Parish, Register of Baptisms, Vol. 3, 1826-1836, NAJ.

slaves were likely Christians themselves, or at least held some affinity to the church.

However, even in the latest periods of slavery we see that slaves in Jamaica remained unconvinced that acceptance of Christian marital standards benefitted them physically or spiritually.

It is important to note that the final wave of “Melioration Acts” in the 1820s were tied in with the motives of the Anglican Church and abolitionists who saw slaves as a population that remained in heathenism due to their African ancestry and subsequent enslavement, and were thus yearning for the gospel of Jesus Christ. As the empirical data from the church registers and contemporary observers demonstrates, slaves did not generally embrace the Christian ceremony clear into the nineteenth century. At times ministers blamed the circumstances of British slave law as detracting them from performing the ceremony. Writing in 1821 from British Guiana, a minister of the Scotch Presbyterian church noted he did not feel “justified in celebrating marriage” between the slaves “without previous assurance obtained from competent authority that such practice is conformable to the existing laws and regulations of the colony.”³¹⁰ The amelioration campaigns of the mid-1820s that sought to alleviate the harshest conditions of slavery were obsessed with questions regarding slave marriage and the legality the union could realistically attain. By 1826 a parliamentary council noted that five islands had developed measures to legalize slave marriages, but “could not discover that any such had been adopted, except in Bahamas, and even there the rights of master might, to a certain

³¹⁰ “Occasional Conformity (British Guiana. C.O. 111/37, Minister of Scotch Presbyterian Church, Nov. 29, 1821),” in *Documents on British West Indian History, 1807-1833*, ed. Eric Williams (Port-of-Spain, Trinidad: Trinidad Publishing Company, 1952), 235.

extent, interfere.”³¹¹ Similarly, one writer from Jamaica noted in 1827 that on the subject of marriage “no security is taken against the possible case of the unreasonable or capricious refusal of the owner to consent.”³¹² In these examples the complaint against reforming the slave system was the opposition of slave owners who either ignored the recommendations for slave marriages, or the laws were written to favor the interests of slave owners afraid to relinquish any of their powers over the slaves.

For some proponents of reforming slave marital laws they reflected upon precedents that existed in the laws of unfree labor in Britain’s past. As noted, Britain held no preceding slave codes through which they modeled their legislation in the West Indies, but John Stephen, rector of the parish of Christ Church in the Bahamas, looked to the medieval system of *villeinage* as a prototype for how Britain could clarify its position upon slave marriage in its colonies. As an individual who celebrated marriages between slaves, Stephen wrote a lengthy letter to the Governor of the Bahamas inquiring upon the legality of slave marriage if they were granted consent through the master, particularly if they requested marriage to a free person. Stephen was motivated by the general opinion among multiple slave owners that consent for a slave marriage prompted a “civil inconvenience” in which owners believed if their slaves gained written consent to marry a free person “he could procure a claim to his own emancipation.” If the master held no knowledge of the legislative loophole some black West Indians apparently used it to

³¹¹ *Parliamentary History and Review; Containing Reports of the Proceedings of the Two Houses of Parliament During the Session of 1826-7, Geo. IV with Critical Remarks on the Principal Measures of the Session* (London: Longman, Rees, Orme, Brown, and Green, 1826), 97.

³¹² “Invasion of Toleration (Jamaica. C.O. 137/165, Huskisson to Gov. Keane, Sept. 22, 1827),” in *Documents on British West Indian History*, 228.

challenge their enslaved status.³¹³ Stephen used the letter as a method to criticize the lack of focus upon the religious dimensions of the marriage contract, as the correspondence he received from the lawyers emphasized that marriage in England was a civil contract, which automatically eliminated slaves as they were not of “sufficient legal ability” to engage a contract.³¹⁴ As in past inquiries, the responses were vague and provided no solutions to the quandary of how to encourage slaves to conform to Christian standards of matrimony.

Stephen noted that the condition of slaves had improved through ameliorated laws since the late-eighteenth century, and inquired of his learned colleagues why legislators continued “to act the *Gothic* and irrational principle of denying them the privilege of lawful marriage? A privilege which, by those to whom it has been granted, has never been abused.”³¹⁵ The latter component of this statement was likely an exaggeration, but Stephen’s point centralized within the notion that past societies allowed unfree laborers to contract marital unions and Britain’s neglect to enact similar legislation served as a point to question their advancement in the modern world. Stephen cited instances of slavery as it existed in Biblical Egypt and Classical Rome, but his examination of the rights and privileges of English “villeins”, essentially unfree tenant laborers, prior to the seventeenth century formed an important crux of his argument. Historian David Brion Davis notes that the essential similarity between medieval villenage and African slavery

³¹³ For examples cited in Stephen’s letter see : “Copy of a Letter from Governor Cameron to the Earl of Bathurst; with One Enclosure,” in *Miscellaneous Papers: Ionian Islands; Slaves in the Colonies, Session 27 January—10 June, 1818*, vol. 17 (Oxford: Bodleian Library, 1818), 218. Also see Green, “The Vexed Question of Slave Marriage”.

³¹⁴ Response from William Wyly “New Providence January 5, 1814,” in *Miscellaneous Papers*, 218.

³¹⁵ “Copy of a Letter from Governor Cameron to the Earl of Bathurst; with One Enclosure,” in *Miscellaneous Papers*, 220.

in the Americas was that the villein's person was legitimately owned by the master who could freely dispose of their property at their own volition, but he points to the manorial system and the Christian church of medieval Britain as providing the main distinguishing features between the two systems. According to Davis, a primary distinguishing feature between the two systems was that the Church sanctified the villein's "marriage and accorded him the dignity of a human soul."³¹⁶ Additionally, villeins were not subject to the interregional slave trading that characterized the slave societies of the Americas, and since they usually comprised populations that were religiously, if not ethnically, similar to their masters they were held in bondage under systems through which the religious body could usually protect their natural rights.³¹⁷ However, citing villeinage was important for Stephen since it was the most recent form of unfree labor in Britain that could provide some precedent for ameliorating slave laws.

Under English law villeins "were allowed to marry long before the time of Henry VIII; and that they were slaves to all intents and purposes as much as ours are now...and that their marriages were held good in law, without exposing their proprietors to any risk of losing their property by giving their consent to such marriages."³¹⁸ The lack of any clear guidance upon the question of slave marriage in British colonial law caused Stephen to conclude that, as the law stood, slaves would not be encouraged to marry and thus not

³¹⁶ Davis, *The Problem of Slavery*, 39.

³¹⁷ Peter Kolchin makes a number of similarly interesting points in his comparison of Russian serfs and North American slaves, particularly in the differences between how race and ethnic identity permeated the discourses of these slave societies and how that encouraged different ideas of bondage and treatment in both systems. See Peter Kolchin, *Unfree Labor: American Slavery and Russian Serfdom* (Cambridge: President and Fellows of Harvard College, 1987)44-45, 185-188.

³¹⁸ "Copy of a Letter from Governor Cameron to the Earl of Bathurst; with One Enclosure," in *Miscellaneous Papers*, 222.

be able to reproduce or improve their moral behavior: “Whether the obstacles that stand in the way of their marriage arise from our own laws, or from a misconception of them, it is high time that they were removed, and I have shown, that this, it if should be deemed necessary, may be easily done, by a declaratory law made for that purpose.”³¹⁹ Just as the master’s concern toward the baptism of his slaves was alleviated by a definitive statement that baptism did not connote freedom from servitude, Stephen believed that specific legislation that favored the religious and legal observances of slave matrimony would overcome the popular misconceptions of masters who believed their control over slaves would be curtailed if they provided consent to engage a marital union.

Responses to John Stephen’s questions and suggestions were clouded by the lack of determinative legislative precedents. One response simply stated that “our colonial laws are silent upon the subject of marriages of slaves, and there being no spiritual court in the colonies, we are of course but little versant in the ecclesiastical law, except so far as it has been adopted by statute.”³²⁰ Marriage straddled the lines of religious and legal ceremony, making its interpretation among slaves a more complex question. Earl Bathurst, one of the leading advocates for the amelioration reforms in the 1820s, replied to Stephen’s query by stating that slave were never to be excluded from marriage to either free persons or slaves and the owner’s claim to their labor was not affected by the formation of the a marriage.³²¹ These kinds of queries established the stage for the second wave of amelioration reforms that would ultimately lead toward the demise of the

³¹⁹ “Copy of a Letter from Governor Cameron to the Earl of Bathurst; with One Enclosure,” in *Miscellaneous Paper*, 225.

³²⁰ “William Wylly, New Providence, 10th March, 1817,” in *Miscellaneous Papers*, 228.

³²¹ “Copy of a Letter from the Earl Bathurst to Governor Cameron, 31st Nov. 1816,” *Miscellaneous Papers*, 228.

colonial slave regimes in the Caribbean and Atlantic colonies. Such reforms were first tested in Trinidad in 1823, a location that historian Claudius Fergus calls the “nursery for the amelioration project” since the former Spanish colony retained many legislative precedents of the colony’s previous slave code: *La Siete Partidas*. Fergus argues that Trinidad was selected because “Spanish laws governing slavery continued to hold a hypnotic appeal to British legislators and largely informed the long-sought-after amelioration of their slave system.”³²² Unsurprisingly, marriage formed a central issue in these reforms as legislators and churchmen still faced the indifference and opposition of colonial slave masters who largely ignored the recommendations of previous reforms.

Any advancement toward the Christian standard of marriage was painfully slow, if it happened at all. In 1829 one administrator reported “with the exception of one or two parishes” slaves were rarely married in the Christian fashion.³²³ However, certain missionaries proved particularly effective in encouraging slaves to embrace the marital standard, as illustrated by the work of Edward Fraser in the islands of Antigua, Dominica, and Tortola in the late-1820s and early 1830s. Fraser found Methodism was relatively more effective in proselytizing to slaves and by the time he arrived in Antigua in January, 1829 laws were passed protecting slave marital unions. He found that certain slave-owning Antiguan held less objections to slaves marrying, if they so desired, and on January 4, 1829 Fraser officiated at his “first wedding ceremony for a slave couple”.³²⁴ Despite his initial success, Fraser also discovered that slaves’ habits and

³²² Claudius Fergus, “The Siete Partidas: A Framework for Philanthropy and Coercion During the Amelioration Experiment in Trinidad, 1823-34,” *Caribbean Studies*, 36 (2008): 81.

³²³ CO 28 149 Correspondence from the bishop of Barbados, NA-K.

³²⁴ Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” (Unpublished Manuscript), page 58, Bermuda National Museum.

beliefs were difficult to alleviate. In Dominica he found that many of the slaves, particularly those who spoke French and were allied with the Catholic Church, rejected the offer from Fraser and his senior partner James Cox to marry them in accordance with Christian principles. The slaves scoffed at the ludicrous nature of the offer, and submitted “that they were slaves, and therefore could not be married.”³²⁵ Due to the laxity of both French masters and the priests and the isolated landscape of the plantations, Cox concluded that missions to the slaves in Dominica was the near equivalent of “going to the interior of Africa,” and Fraser lamented that “Dominica is a Century behind Antigua in moral and intellectual improvement.”³²⁶ Ignorance combined with open hostility made the mission a particularly trying experience, as slaves within the predominantly Catholic districts even received stern warnings from the priests to stay away from the ministers preaching and English religion.

Cox and Fraser persevered, and likely increased their efforts in evangelizing the slave population. They preached against the common sins of adultery, concubinage, and polygamy and in a relatively short time married twenty five couples. The number is particularly astonishing, as Fraser’s biographer Cyril Packwood notes that in the previous year only two slave couples on the whole island were married using Christian rites.³²⁷ Even when Cox fell ill, and Fraser embarked on his own, he overcame racism from the

³²⁵ “James Cox to the Committee, March 31, 1829,” in Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” (Unpublished Manuscript), page 62, Bermuda National Museum.

³²⁶ “James Cox to the Committee, March 31, 1829” and “Edward Fraser to the Committee, March 30, 1829,” in Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” (Unpublished Manuscript), page 62, Bermuda National Museum.

³²⁷ Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” (Unpublished Manuscript), page 64, Bermuda National Museum.

gentry who refused to entertain him in their homes, but allowed him to preach on the estates. On one trip to Woodford Hill he married two couples and was gracefully received by the proprietor to use his facilities for the night.³²⁸ While Fraser made significant headway in encouraging slaves to receive the gospel and conform to the matrimonial standards, he gained a reputation among the white elite that he was encouraging slaves to become restless with their bondage. On one estate, in particular, Fraser was given a list of eight reasons for why he was no longer welcome to preach, two of them regarding the danger in his encouraging slaves to marry. The estate manager noted to Fraser his efforts were fruitless anyway, as “marriages performed by the Methodists were illegal.”³²⁹ He was right, those married by “dissenter” sects were forced to wait until the Marriage Act of 1836 was passed in England, which legalized (sometimes retroactively) past ceremonies performed by other denominations in both England and the colonies. Despite the challenges, Fraser and Cox continued their impressive campaign. During their year in Dominica they reported performing a rather astonishing 83 marriages.

Perhaps even more significant, they reported that their number of marriages was actually larger than the 78 baptisms they conducted. Such reports were unprecedented and illustrative of Fraser’s tenacity and work ethic. He arrived on Tortola on the eve of Emancipation in 1833 and continued in his efforts at encouraging slaves to embrace matrimonial orthodoxy after their conversions. Fraser and his missionary colleagues however, remained frustrated in the Society’s inability to challenge the restrictive

³²⁸ Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” (Unpublished Manuscript), page 67, Bermuda National Museum.

³²⁹ Cyril Packwood, “Slave-Born Missionary: The Life of the Reverend Edward Fraser,” (Unpublished Manuscript), page 69, Bermuda National Museum.

marriage laws that rendered the weddings performed by Methodists null and void.³³⁰

While they were aware the Methodist Missionary Committee was considering the question, it was at that point unclear if they held any legitimate power to readjust the British laws. Fraser and his newly acquired younger associate John Parkes continued their travels throughout Tortola and encouraged slaves to marry in rather rigidly structured ceremonies. At the dawn of the general emancipation Fraser was re-stationed in Antigua, the only West Indian island that forewent the Apprenticeship period. In certain respects Antigua's decision to reject the Apprenticeship period made it a crown jewel of freedom among both slaves and abolitionists, though it was subject to the same difficult transitions in attempting to adjust the cultural outlooks of slaves who remained relatively unimpressed with the colonial offer.

After Slavery

The suggestion that marriage had become more prevalent after slavery caused some colonial respondents to explain how blacks in the Caribbean viewed the marriage covenant as slaves, hoping to accurately illustrate the barriers they needed to overcome. In St. Christopher it was noted that slaves were not usually married due to their status as property and the ability of the master to sever the relationships. Even after the passage of a law to prevent the separation of enslaved spouses, marriage was still not generally embraced among the enslaved population.³³¹ One trouble for many white planters in the post-emancipation era centralized within slaves who used the ideals of Victorian

³³⁰ Antigua District Meeting 1833," in Cyril Packwood, "Slave-Born Missionary: The Life of the Reverend Edward Fraser," 58 (Unpublished Manuscript), Bermuda National Museum.

³³¹ "St. Christopher, sections 3146-3148," *BBP*, *WI*, 236.

marriage principles to refuse further labor. In St. Vincent one administrator noted that “not more than two-thirds” of the former slaves decided to work in agricultural labor, causing a significant decrease in the export rates. One portion of the blame rested upon the “many women who used to work, [that now] refuse to labor...on the plea of being married.”³³² The stigma of agricultural labor also presented a significant issue as the younger generation considered the occupation as “bringing them down more to the level of slaves; and their parents uphold them in this opinion, and say they had rather support them from their own labour than see their children working in the field.”³³³ Some islands elected “marriage officers” to ensure that former slaves were encouraged, and understood, the importance of gaining a legally-sanctioned marriage that did not encroach upon the monogamous standard.³³⁴ At times, however, freed slaves “of the lower orders” scoffed at their counterparts who displayed their ceremonies publicly, mocking them through imitating gestures and repeating “Me da married lady”.³³⁵ In certain respects, this latter passage suggests that Christian marriage in the black majority colonies of the post-emancipation period became less about raise, and possibly more about class.

In reality marriages increased due to the advantages of legally-recognized unions. Issues of inheritance, property rights, and legitimacy could be alleviated if former slaves secured certificates that recognized their unions. But the transition was not particularly smooth. Shortly after the Apprenticeship period ended it was stated that certain doubts

³³² “St. Vincent, section 335,” *BBP, WI*, 28.

³³³ “Barbados, section 1548,” *BBP, WI*, 122.

³³⁴ “Copy of a Despatch from Governor Sir E.J. Murray MacGregor to the Marquis of Normanby, May 14, 1839,” CO 28 127, Despatches from Sir Evan Murray John McGregor, Governor of Barbados, NA-K.

³³⁵ Horsford, *Voice from the West Indies*, 55.

had arisen “as to the validity of certain marriages contracted and solemnized—previous to the abolition of slavery in the...colonies” and most particularly those ceremonies performed by minister “other than the clergymen of the United Church of England and Ireland.”³³⁶ Wesleyan Methodists, in particular, responded to the declarations by submitting that their religious objective was never “to proselyte to any particular religion” and assured the colonial authorities their “administration of the Sacraments of Baptism, and the Lord’s Supper, as well as the solemn rite of Marriage are conducted after the same forms as those of the Established Church.”³³⁷ However, the process remained frustratingly slow. In his travels through England Edward Fraser complained of how the process was negatively affecting the former slaves in his previous station of Antigua. His declarations were apparently powerful, as one of his colleagues wrote “The Rev. Edward Fraser...who having himself once been a slave, can enter fully into the views and feeling of his people, [and he] assures us that the unsettled state of the Marriage Question is the cause of great disquietude among the negroes.”³³⁸ Historian Henrice Altink’s detailed analysis of marital law during the Apprenticeship period of Jamaica concluded that a number of bureaucratic obstacles prevented apprentices from experiencing the marital bliss that freedom was supposed to bring. First, while the apprentices wanted to model their marriages based upon the “metropolitan” ideal Altink noted they had a “relationship ideal that was very different from the metropolitan ideal, though with elements of similarity.”³³⁹ Secondly, the Imperial Government was

³³⁶ CO 318 134, Correspondence from “miscellaneous offices”, NA-K.

³³⁷ “To His Excellency Henry Light,...Georgetown, November 29, 1838,” CO 318 134.

³³⁸ CO 318 134, Correspondence from “miscellaneous offices”, NA-K.

³³⁹ Altink, “To Wed or Not to Wed,” 102.

particularly ineffective as a promoter of the former slaves' civil rights, as it was more eager "to obtain the cooperation of the planters" to maintain economic productivity than securing the rights of citizenships to the apprentice class.³⁴⁰

About five years after the final apprenticeship periods concluded in 1838, a select committee assigned to the West India colonies began investigating the advancement of the former slave societies from economic, social, and moral perspectives. Stressing marriage as the litmus test for advancing slaves to Eurocentric notions of civilization the committee published reports from six colonies, including British Guiana, St. Kitts, St. Vincent, Trinidad, Barbados, and Jamaica. The general conclusions among those colonies were optimistic in the possibilities they foresaw in civilizing the black population after slavery, but their actual results were relatively dismal when reporting upon Christian marriage among slaves.³⁴¹ Without any legitimate statistics, most of the colonial representatives suggested ideas that marriage among former slaves was "more common" than in their previous conditions.³⁴² The extent to which this means that slaves embraced church marriages is difficult to assess, but specific anecdotes from those who reported upon the post-emancipation conditions reveal that a number of slaves continued to approach marriage from their own perspectives rather than the colonial authorities. G. Carrington reported from Barbados in 1842 of the "peculiarity" that existed there, in

³⁴⁰ Altink, "To Wed or Not to Wed," 101.

³⁴¹ The forthcoming citations come from *British Parliamentary Papers: Report from the Select Committee on the West India Colonies Together with minutes of Evidence Appendix and Index. Colonies: West Indies I* (Shannon, Ireland: Irish University Press, 1969). Hereafter this will be cited with the location of the report, section number, and *BPP, WI*.

³⁴² "St. Vincent, section 327," *BPP, WI*, 27. In the same volume also see "Barbados, section 1562," page 122; "British Guiana, sections 3528-3533," pages 258-259; "Trinidad, section 3970," page 280; "Jamaica, sections 5260-5263, 5744, 6042" pages 381, 406, 424.

which the black population still practiced “the custom of polygamy” and had “various homes, inasmuch as they have various wives.”³⁴³ When asked what specifically he meant by the term polygamy, Carrington answered that the newly freed blacks “cohabit according to their notions of marriage... Marriage is a rite which only of late years has been practiced in Barbadoes.”³⁴⁴ The response is particularly useful in suggesting that marital patterns inherited from slavery continued into the post-emancipation era, though every location was surely different. But if Carrington’s supposition is taken as an accurate assessment of many formerly-enslaved Barbadians it suggests that polygamy might have been more universal among slaves throughout the entire existence of slavery upon the island. Carrington believed that if the black population remained unchecked they would perpetuate the practice as long as they could.

Conclusion

This analysis generally submits that finding a definitive line that marks the separation between the efficiency of the legal structure and the perpetuation of unorthodox cultural traditions is usually blurry. In reviewing two centuries of West Indian marital traditions one finds a mixture of results. However, the general themes espoused by most missionaries, legislators, and colonial planters centralized within the notion that slaves were largely not interested in conforming to European standards unless it provided some legitimate social benefits. As slaves from the Atlantic coasts of Africa continuously poured into most of the West Indian colonies a perpetuation of African-

³⁴³ “Barbados, section 1737,” *BBP, WI*, 133.

³⁴⁴ “Barbados, section 1738,” *BBP, WI*, 133.

centered traditions characterized their approaches to the marital relation, and the circumstances of slavery forced them to recreate and reimagine how they approached the ritual processes. Slaves were subject to the same human passions as any other demographic upon the islands, as they disagreed with one another, often through violent means, ended their relationships, and attempted to assert their individual power within their own communities through sadistic means. This analysis hoped to show that the history of slave marriage within the West Indies holds importance beyond the legal barriers that prevented slaves from marrying, but should also feature how slaves manipulated these barriers to attain some continuity with their cultural traditions and gain authority in spite of the unfavorable legislation. The degree to which these traditions perpetuated in the era of freedom remains a poignant issue for further exploration, as the statements of various witnesses reported the success rate of encouraging former slaves to embrace marriage and domestic relationships that followed British ideals was a mixed bag. Such circumstances provide an important starting point for examining how these notions informed the development of North American approaches to slave marriage, and how these developments compared a colony that gained freedom from the British near the close of the eighteenth century.

CHAPTER 4

NO CEREMONY OF MARRIAGE: EXAMINING THE DOMESTIC LIVES OF BERMUDIAN SLAVES

As a testament to the perpetual legacy of slave marriage's significance to Bermuda's history, one of its most popular ghost stories revolves around two enslaved lovers whose spirits haunt a house in Flatts Village, a small settlement in Hamilton Parish, Bermuda. Sometime in the mid-twentieth century tenants of the home complained of seeing "a young black man wearing a very blousey white shirt" wandering into the house at nighttime, and while his presence was not particularly threatening the renters were mystified as the image just dissolved into thin air when discovered.³⁴⁵ Some observers also noted the male carried a chain during his hauntings. Due to the fact that this home was formerly owned by slave-owners, many concluded that the apparition was a legendary unnamed slave who was known to make nightly visits to his wife Martha, despite their owners' initial disapproval at the union. As the story goes, the anonymous male awaited nightfall for his chance to visit Martha's residence in Trunk Island, Harrington Sound. Martha would wait outside in anticipation of her lover who swam from Flatts Bridge to the Island "in order to enjoy a lover's tryst after sundown when the

³⁴⁵ "Fair View, Flatts Village as told to Joan Skinner by Colin Cooke," in *Bermuda's Favorite Haunts*, volume 2, *Picking Up the Threads*, eds. John Cox, Mac Musson, and Joan Skinner (Flatts, Bermuda: Ghost Writers, 1996), 65.

time was briefly theirs.”³⁴⁶ In their attempts to prevent the nightly visits, the man’s owners attached a chain to his ankle and staked it to the ground. However, the legends suggest that he continually found a way to visit Martha, despite his owner’s attempt to prevent their nightly reunions. Decades later, residents of Trunk Island continued to see a six foot apparition emerge from the water and call in a husky, bass voice “Martha, Martha, where are you?” before disappearing at the notice of human confrontation.³⁴⁷

According to folklorists, the legend concludes with Martha and her anonymous suitor eventually marrying after both owners realize the man’s stubborn determination to visit his lover could not be halted. However, the legacy of their initial separation forms the bedrock of the tale’s message, as it reveals the complicated circumstances through which slaves sought out and married one another. Marriage was a coveted relationship for those legally barred from its benefits, and colonial masters and legislators used it as a method of social control and advancement in the British colonies. Even if one contends that Bermuda’s slave system was more benign when compared to its Atlantic counterparts, the prevention of enslaved laborers from enjoying the benefits of legally recognized marital unions ultimately equalizes the situation from a legislative perspective. However, this anonymous male’s nightly escapades suggests that enslaved people resisted the system, using both overt and surreptitious methods. The symbolism of the story is important for understanding the potent nature of chattel slavery for those held under its yoke. These aforementioned slaves hold no voice in the written documents,

³⁴⁶ “Trunk Island, Harrington Sound as told to Mac Musson by William Hollis and confirmed by many others,” in *Bermuda’s Favorite Haunts*, vol. 2, 70.

³⁴⁷ “Trunk Island, Harrington Sound as told to Mac Musson by William Hollis and confirmed by many others,” in *Bermuda’s Favorite Haunts*, vol. 2, 69.

making these nightly haunts a powerful statement for contemplating the residual influences that slavery holds in the cultures of the Anglophone Atlantic world. The fact that witnesses noted that these apparitions were audible is important in its own regard as they, at least symbolically, gave voice to slaves who were unable to tell their stories. In this respect, the story provides an interesting inversion of the slave system as the chained male slave asserts a degree of power in driving out those who fear him as he pursued his quest to see his lover across Harrington Sound. The folk story holds fascinating connotations for contemplating slave marriage prior to Bermuda's Emancipation Act in 1834. As slaves' bodies were still the property of oppressors, the legends of area haunted by these enslaved lovers testifies to the notion that the domestic relation remained a premier feature of enslaved people's continual fight for civil rights in Bermuda and elsewhere in the Atlantic.³⁴⁸

As a largely maritime-based society, Bermuda's prominent population of enslaved watermen has caused scholars to highlight its unique position among slave societies established throughout the Atlantic. It was the only location in the Anglophone world to birth an enslaved population where many bondmen gained the benefits of a seafaring lifestyle, which was a form of labor that provided them much autonomy.³⁴⁹ While recent scholarship is more attentive to this unique history of Atlantic slavery, this chapter argues

³⁴⁸ Ghost stories hold particular prominence in the tourist industry throughout the southern United States, as plantations usually advertise the ghosts of restless slaves who haunt the particular plantation or area. As the rural South remained a largely superstitious region throughout the nineteenth century and mid-twentieth century these stories are largely products of stories passed down through generations. For literature on "haunted plantations" see: Geordie Buxton, *Haunted Plantations: Ghosts of Slavery and Legends of the Cotton Kingdoms* (Charleston, S.C.: Arcadia Publishing, 2007); "The Demise of Dangerfield Newby," in *The Big Book of Virginia Ghost Stories*, collected by L.B. Taylor (Mechanicsburg, PA: Stackpole Books, 2010), 41-42.

³⁴⁹ For one of the most recent and detailed analyses of this subject see Kevin Dawson, "Enslaved Ship Pilots in the Age of Revolutions: Challenging Notions of Race and Slavery between the Boundaries of Land and Sea," *Journal of Social History*, 47 (2013): 71-100.

that we still know very little about enslaved Bermudian's domestic lives and the complex intersection between slaves' social conditions and slave legislation in the marital relation. While enslaved males in Bermuda enjoyed a greater ability for autonomy when compared to their counterparts in the sugarcane or cotton fields, inadequate attention has been given to the marital relation and whether or not it mirrored similar developments elsewhere. As Bermuda is often cited as a counterpoint to other slave societies that predominantly relied upon the mass production of staple crops through enslaved agricultural labor, examining Bermudian slaves' ritual practices, marital patterns, and attitudes toward Christian marriage provides nuance to how we understand differing forms of bondage in the Atlantic world.

Using marriage as a method to investigate gender stratification within the slave community, I argue that from a legal vantage point Bermuda was not terribly different than its Anglophone counterparts in disregarding enslaved matrimony. While Bermudian legislators refused to recognize slave marriages, they still subjected slaves to the same moral expectations as their white counterparts and punished slaves for minor infractions of the marital tie. Similar to its Anglophone contemporaries Bermuda never attempted to protect enslaved unions until they were pressured by the amelioration campaigns of the 1820s, and even then no evidence suggests that respect for enslaved matrimony improved among individual slave owners. In the same vein, however, the chapter shows how the social conditions of Bermudian slavery also encouraged monogamous parabonding and birthed unique practices for recognizing slave marriages and a greater preservation of familial ties than elsewhere in the Atlantic world.

Analyzing slave culture in Bermuda presents numerous challenges since very few first-person accounts exist for Bermudian slaves. By dividing its history into chronological periods, however, we can provide some perspective on the way in which the rights of enslaved laborers evolved as societal standards were transformed through transatlantic pressures. This chapter divides the chronology into three periods, examining first the lengthy history ranging from the island's founding as a British territory to the period directly preceding the rise in influence of the abolitionist movement of the 1780s. This first period provides an overview of the organic development of Bermuda's slave communities and the development of particular traditions upon the island, as the practice of slavery was relatively unchecked throughout these centuries. The second section uses data from 1780 to the mid-1820s, a period that, partially through humanitarian impulses, elevated imperial scrutiny into the activities of slaves and their masters. Due to increased criticisms hailing from an abolitionist movement that was rising in popularity in the late eighteenth century, these decades witnessed decisive shifts in how white colonists approached slavery due to the threats of outside forces.³⁵⁰ While Bermuda was rarely a specific target of abolitionist criticism, documentary evidence suggests it became subject to the same regulations brought upon slave societies through transatlantic forces. The last chronological segment considers the final ten years of Bermudian slavery and the aftermath of the emancipation programs of 1834 by examining how the mandated amelioration programs impacted the transition from slavery to freedom among former slaves who were able to secure legally recognized unions free of the master's consent.

³⁵⁰ For the dating of British abolitionism in the 1780s see the following works: Judi Jennings, *The Business of Abolishing the British Slave Trade, 1783-1807* (London: Frank Cass & Co. Ltd., 1997); J.R. Oldfield, *Transatlantic Abolitionism in the Age of Revolution: An International History of Antislavery, c. 1787-1820* (Cambridge: Cambridge University Press, 2013).

The Development of Bermudian Slavery

In examining the cultural patterns of slaves in Bermuda it is necessary to understand the island's developmental trajectory and its ultimate cultural distinctions from its counterparts to the West and the South. Bermuda was uninhabited when the company in the English vessel *Sea Venture*, led by admiral George Somers, wrecked off the coast of the twenty-one square mile island while en route to Virginia in 1609. The only vestiges of prior human contact were wild hogs left by Juan de Bermudez in 1515, as he remembered his initial shipwreck upon the island in 1505 and decided to leave the animals as a protein source for future stranded mariners.³⁵¹ It is not entirely clear why Bermudez decided to bypass colonization of the island, but one can surmise the island's size (21 square miles) and absence of indigenous trading networks were certainly key factors. Iberian adventurers traversing the Atlantic in the early sixteenth century remained committed to establishing trade relations with indigenous communities, and most European explorers in the seventeenth century were more interested in finding an Atlantic route to Asia even after the colonization of the American mainland.³⁵² Early reports on Bermuda's capability for agriculture also incorrectly judged the soil "uncapable" of European "commodities or fruits," though this prejudice was quickly amended upon

³⁵¹ Samuel Eliot Morison, *The European Discovery of America: The Southern Voyages A.D. 1492-1616*, Volume 2 (Oxford: Oxford University Press, 1974), 500; Peter Linebaugh and Marcus Rediker, *The Many Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), 9-10; Virginia Bernhard, "Bermuda and Virginia in the Seventeenth Century: A Comparative View," *Journal of Social History*, 19 (1985): 57-59.

³⁵² Karen Ordahl Kupperman, *The Jamestown Project* (Cambridge: Harvard University Press, 2008), 151-156.

further agricultural experimentation by the British.³⁵³ Upon initial glance Bermuda did not factor into Spain's colonial plans, though news of Bermudez's discovery reached European navigators. By 1511, "La Bermudez" was listed as an Atlantic island on Peter Martyr's *Legatio Babylonica*.³⁵⁴

George Somers, the admiral of the *Sea Venture*, however, saw the island's potential in furthering colonial expansion. English sailors believed that Bermuda's unique geographical position in the middle of the Atlantic provided "a strong natural defence for the protection of its possessions against an invading enemy."³⁵⁵ Bermudian cedar wood provided the raw materials in constructing vessels that completed the voyage to their original destination of Virginia, which by that point was in dire circumstances. While Virginian tobacco would eventually eclipse Bermuda's attempts to enter the transnational market economy, the conditions of Bermuda in the early seventeenth century were preferable to the nearly decimated colony at Jamestown. Viewing the island's potential as a strategic military post the colony was officially dubbed the "Somer's Islands" after admiral George Somers, though the name "Bermuda" was continually used in the lexicon of seaman. With a landscape unique among its counterparts in the Caribbean Sea and American mainland, Bermuda's slave system developed differently from its

³⁵³ William Strachey, "A True Reportory of the Wreck and Redemption of Sir Thomas Gates, Knight, upon and from the Islands of the Bermudas: His Coming to Virginia and the Estate of that Colony Then and After, Under the Government of the Lord La Warr, July 15th, Written by William Strachey," in *A Voyage to Virginia in 1609: Two Narratives*, ed. Louis B. Wright (Charlottesville, VA: The University Press of Virginia, 1964), 22.

³⁵⁴ Sir John Henry Lefroy, *Memorials of the Discovery and Early Settlement of the Bermudas or Somers Islands 1515-1685, Compiled from the Colonial Records and Other Original Sources*, Volume 1 (Toronto: University of Toronto Press, 1981), 1-3. Also see the eleven page tract of R. Barreiro-Meiro entitled *Las Islas Bermudas y Juan Bermudez* (Madrid, Instituto Histórico de Marina, 1970).

³⁵⁵ *Remarks and Observations Respecting the Bermudas Explanatory of their Survey by Captain Hurd*. Document dated 1801 in HU Hurd, Capt., Folder 37, Bermuda National Archives.

contemporary colonies. While Bermuda remained economically connected to various colonies throughout the Atlantic World, its inability to mass produce staple crops like tobacco or sugar prevented plantation slavery from taking root in colony. Slavery certainly existed, but the dynamics of slave importation and development were quite different from other locales. The unique conditions of slave labor and legislative exploitation in Bermuda make it a unique case-study for ascertaining the dynamics of “slave marriage” in the British Atlantic, though a historiographical overview reveals a divide in how scholars might approach the study of slavery upon the island.

Until more recent scholarship, the historical memory among many white Bermudians was that Bermuda’s slave system was of more benign character. Contemporary accounts certainly emphasized the possibility. In 1828 apologists for slavery cited a case in which eight out of twelve slaves consciously chose to return to Bermuda rather than claim their freedom upon landing in British soil, as it was suggested “that in Bermuda their employment was not very laborious.”³⁵⁶ The reasons were certainly more complex. A detailed examination of their statements reveal that these eight slaves also cited familial connections as their motivation for wanting to return. However, the claims of compassionate slaveholding were upheld by visitors to the island, such as that found in Suzette Harriet Lloyd’s contention in 1830 that “in these islands slavery wears the mildest aspect of which that pitiable condition is susceptible.”³⁵⁷ Citing

³⁵⁶ “Bermuda Slaves at Belfast,” in *Bermuda Sampler 1815-1850, Being a Collection of Newspaper Items, Extracts from Books and Private Papers, Together with Many Explanatory Notes and a Variety of Illustrations*, ed. William Zuill (Suffolk: Richard Clay & Sons, Limited, 1937), 130. This event was also cited by William Williams’ 1848 publication as an attribution to the “mildness” of Bermudian slavery, see William Frith Williams, *An Historical and Statistical Account of the Bermudas, from their Discovery to the Present Time* (London: Thomas Cautley Newby, 1848), 134.

³⁵⁷ Suzette Harriet Lloyd, *Sketches of Bermuda* (London: James Cochrane and Co., 1835), 93.

“humanitarian” treatment in the form of clothing, food, and healthcare as her main evidences, Lloyd made her case for the preferable conditions of Bermudian slaves. While such conclusions would be amended, historian James E. Smith still argued in 1976 that “within the context of seventeenth century colonial standards, Bermuda’s slaves were treated more humanely than most of their counterparts in other British-held territories.”³⁵⁸ Smith notes how the different labor requirements ultimately formed the distinctions in slave management, but the contention that Bermudian slaves enjoyed a “humane” treatment demands further scrutiny.

Native Bermudian historian Cyril Packwood was the foremost scholar who argued against this general thesis, and through his analysis of Bermuda’s racialized legislation found that Bermuda’s treatment of its black population revealed the same racially-motivated inequity as its counterparts throughout the Anglo-Atlantic. Citing myriad evidences of white brutality toward enslaved people, Packwood forcefully argued that “no whites...ever had their noses slit, their severed heads exhibited from poles, or their bodies quartered and exhibited” during the period of slavery in Bermuda, and ultimately contended the “‘mildness’ of Bermudian slavery is a myth.”³⁵⁹ Historian Virginia Bernhard places her work in between these positions, arguing that Bermuda’s maritime economy provided enslaved black men “a large measure of autonomy and a sense of

³⁵⁸ James E. Smith, *Slavery in Bermuda* (New York: Vantage Press, 1976), 38. Historian Henry C. Wilkinson also noted that the “intimacy of...association” between white and black Bermudians caused more benevolent treatment on the part of masters, see Wilkinson, *Bermuda in the Old Empire: A History of the Island from the Dissolution of the Somers Island Company until the End of the American Revolutionary War: 1684-1784* (New York: Oxford University Press, 1950), 255.

³⁵⁹ The first quote is found in Cyril Outerbridge Packwood, *Chained on the Rock: Slavery in Bermuda* (New York: Eliseo & Sons, 1975), 142. The second quote is found in Cyril Outerbridge Packwood, “Origins of Blacks in Bermuda during the Somers Island Company Period (1615-1684),” in *Blacks in Bermuda: Historical Perspectives*, ed. W. Michael Brooke (Bermuda: Island Press Limited, 1980), 6.

identity” that distinguished them from their plantation counterparts elsewhere.³⁶⁰

Bernhard used Bermuda as a case study in calibrating the origins of racism in British slave systems, suggesting that the unique developments of labor and geographical proximity allowed Bermuda’s race relations to develop apart from other slavery-based colonies throughout the British Empire, particularly Virginia. Bernhard ultimately concluded that racial tolerance was observed at higher degrees in Bermuda. In reviewing the historiography it is difficult to conclude whether any of the twentieth century scholars were entirely incorrect. From the perspective of labor, be it small-scale agriculture or a life at sea, the conditions of Bermudian slavery were certainly preferable to the sugar-based economies of the Caribbean, the rice swamps of the Carolinas, or the rise of the domestic slave trade that increased alongside the capitalist expansion of cotton throughout the antebellum South.³⁶¹ But Packwood’s contention of legal inequality should not be ignored, particularly when one is considering the legislative and culture developments of matrimony and gender relations among the enslaved.

In many respects, Bermuda developed similarly to other colonial territories in the early seventeenth century as it experimented with various crops and gradually increased

³⁶⁰ Virginia Bernhard, *Slaves and Slaveholders in Bermuda, 1616-1782* (Columbia, MO: University of Missouri Press, 1999), 275. A concise study that illustrates Bernhard’s view of Bermuda’s more favorable conditions is found in her article “Beyond the Chesapeake: The Contrasting Status of Blacks in Bermuda, 1616-1663,” *The Journal of Southern History*, 54 (1988): 545-564. Bernhard also argues that early laws in Bermuda were more favorable for slaves than elsewhere, see Bernhard, “Bermuda and Virginia,” 63. While he does not comment on the specifics of humanity in the slave system W. Jeffrey Bolster provides the most exhaustive demonstration of black seaman’s ability to navigate the Atlantic World with autonomy unmatched by other forms of slave labor, see Bolster, *Black Jacks: African American Seaman in the Age of Sail* (Cambridge: Harvard University Press, 1998). For a fascinating analysis of slaves’ participation in Bermuda’s maritime economy see Michael Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (Chapel Hill: University of North Carolina Press, 2010), 105-110.

³⁶¹ While these areas will be reviewed in other chapters, specific references to the harsh conditions of each zone can be found in the following publications. For sugar see Tadman, “The Demographic Cost of Sugar,” 1534-1575. For rice see: Dusiinberre, *Them Dark Days*. For the exploitation that came with the expansion of cotton see: Edward Baptist, “‘Cuffy,’ ‘Fancy Maids,’ and ‘One-Eyed Men’: Rape, Commodification, and the Domestic Slave Trade in the United States,” *American Historical Review*, 106 (2001), 1619-1650.

its reliance upon the labor of black slaves. The black population in Bermuda, however, did not comprise a majority in the population until the early nineteenth century, the same period when slavery drew to a gradual close throughout the British Empire. One census of 1749 reveals the white population at 5,290 and the black population at 3,980, and throughout the eighteenth century most estimates declared that the black and white populations were more or less equally divided.³⁶² Even as the black population eventually gained a majority, a census from 1844 suggests that Bermuda's black majority never exceeded more than 60% of the population prior to emancipation.³⁶³ A primary reason for this unique dynamic is that the Bermudian economy could not compete with its Atlantic counterparts in agricultural production and eventually developed a maritime economy based upon the production of both free and enslaved labor. Documents from the early eighteenth century note that Bermudian slave owners rarely imported any slaves from Africa and relied more upon their connections with the islands of the West Indies and North America. In 1708 Bermuda's Lieutenant Governor Benjamin Bennett reported that his own plantation was supplied with blacks from Barbados. Having been on the island for ten years, Bennett concluded his report with a note that stated that since his arrival he found that through the slaves "great increase" the country was "over stockt, which has occasioned many of them to be sent to the Southerne plantations and Northern parts of America, and there be disposed of."³⁶⁴ In other words, the island's size and subtropical

³⁶² "The Report of Governor Popple, May 2, 1749," *Bermuda Historical Quarterly*, 25 (1968): 49.

³⁶³ For the 1844 census see Williams, *An Historical and Statistical Account*, 342.

³⁶⁴ Lieutenant Governor Benjamin Bennett to the Board of Trade, Bermuda, August 4, 1708" in *Documents Illustrative of the History of the Slave Trade to America*, volume 2, *The Eighteenth Century*, ed. Elizabeth Donnan (Washington, D.C.: Carnegie Institution of Washington, 1931), 48.

climate made for very little incentive in attempting to increase the slave population through methods of importation or even natural increase.

The maritime economy made Bermuda's enslaved population quite distinct from other locations. Aquatic activities such as sailing, swimming, and water-based "blood sports" became prevalent in Bermuda, and in many ways water became a zone of resistance for many enslaved waterpeople.³⁶⁵ Among other things, observers noted a preference for "whale beef" among Bermuda's black population, and the cutting up of the carcass was "a scene that few would desire to witness a second time."³⁶⁶ European observers were also astonished at the swimming abilities of slave laborers and commented on their "ability, coolness, and audacity to attack sharks while swimming and to kill them with their knives at the moment when the monster is obliged to turn on his back to seize his prey."³⁶⁷ More horrifying to missionaries was the loose morals that came with a seafaring lifestyle. The maneuverability of seafaring Bermudians prevented the same type of agriculturally-based bondage that characterized enslaved laborers elsewhere in the Atlantic colonies. For those Bermudian slaves that did work the land, seafaring slaves tried to separate themselves from their agricultural counterparts.

³⁶⁵ "Blood sports" are essentially activities that involve young males killing a dangerous animal as a rite of passage into manhood. Among many Africans and their New World descendants this remained a fundamental feature of life under slavery and is catalogued in a brilliant essay by Kevin Dawson, see "Enslaved Swimmers and Divers in the Atlantic World," *The Journal of American History*, 92 (2006): 1327-1355. Also see Kevin Dawson, "Swimming, Surfing, and Underwater Diving in Early Modern Atlantic Africa and the African Diaspora," in *Navigating African Maritime History*, eds. Carina Ray and Jeremy Rich (Published by the Research in Maritime History, Memorial University of Newfoundland Press, 2009), pp. 81-116.

³⁶⁶ John Matthew Jones, *The Naturalist in Bermuda; A Sketch of the Geology, Zoology, and Botany, of that Remarkable Group of Islands; Together with Meteorological Observations* (London: Reeves and Turner, 1859), 17. Also see Lloyd, *Sketches of Bermuda*, 128.

³⁶⁷ "Description of Bermuda: Extract from 'Lettres d'un Cultivateur Americain' by Jean Crevecoeur, 1784," *Bermuda Historical Quarterly*, 3 (1946): 202-203.

Governor Henry Hamilton noticed that “the black people speak contemptuously of their own color who do not go to sea, or at least employ themselves in fishing or wrecking.”³⁶⁸

It should be noted that cultivation of the ground in Bermuda, even among poorer whites, was categorized as “nigger’s work,” and among Afro-Bermudians it is likely that such criticisms were used because field laborers were considered “the meanest and most worthless of the negroes, being, in fact, chiefly old women.”³⁶⁹ Both white and black males felt their masculinity and vitality was threatened at the notion of performing agricultural labor when other skilled occupations were available.

For many contemporary observers the paradox of the Bermudian slave economy was that it was largely unnecessary and somewhat burdensome upon owners who were unable to gain a return upon their human investment. Due to the colony’s size and a low demand for agricultural labor, very few slaves were imported throughout the era of slavery.³⁷⁰ The slave population, however, gradually grew through slave births. Unlike many of the sugar colonies and certain sections of the colonial American South, Bermudian slaves were able to increase their population naturally without reliance upon importation. This experience gave birth to a largely creolized population in the eighteenth century, and by 1789 the House of Assembly reported that “no slaves are imported from

³⁶⁸ Letter of Governor Henry Hamilton, St. George’s Bermuda, May 20th, 1790 in The Fulham Papers General Correspondence Bermuda and Jamaica, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309. Also see a case dated June 6, 1735 accusing blacks of the “comon practice of sailing boats on Sundays,” in Assize Court 1735/41 AZ/102/7, Bermuda National Archives, p. 43.

³⁶⁹ First quote is found in Lloyd, *Sketches of Bermuda*, 63. Second quote is found in Williams, *An Historical and Statistical Account*, 161. For the distaste among whites for agricultural labor also see Wilfred Brenton Kerr, *Bermuda and the American Revolution: 1760-1783* (Princeton, NJ: Princeton University Press, 1936), 8-9.

³⁷⁰ Most contemporary commentators noticed this general trend and noted the heavily creolized population throughout the eighteenth and nineteenth century, as have subsequent scholars, see: Lloyd, *Sketches of Bermuda*, 99; Williams, *An Historical and Statistical Account*, 40; Packwood, “Origins of Blacks in Bermuda,” 4; 23, Bernhard, *Slaves and Slaveholders*, 146-147.

Africa, and few or none from any other quarter” and “the natural increase of slaves is subject to no impediment.”³⁷¹ While the capacity for natural increase is at times interpreted as an example of a benign slave system, enslaved people’s matrimonial privileges suggest the situation in Bermuda was more complicated.³⁷²

The Anglophone Atlantic generally remained silent upon the legalization of slave marriages until close to slavery’s demise. Their status as chattel property prevented slaves from attaining the privileges of citizenship, which included the ability to enter into contracts of marriage. The ability to contract marriage would have provided some legal protection for enslaved matrimonial rights, preventing the total control a master could potentially exert over the slave. While it is difficult to know whether or not legal protection would have actually improved a slave’s situation, the general silence in the Anglophone Atlantic concerning the protection of slave marriages holds important revelations for enslaved people of African descent in Anglophone colonies. The emerging planter class overtly rejected providing slaves the privileges of a protected marital relation since it would have greatly undermined the master’s authority and curtailed their total control over enslaved bodies. Despite similar attitudes manifested by slave owners,

³⁷¹ January 16th, 1789, *Journals of the House of Assembly*, 1788-1796, Bermuda National Archives. The questionnaire was also published in full by the colonial newspaper, see “Copy of the Queries and Answers Referred to in the Minutes of the House of Assembly, Inserted in our Last Week’s Paper,” *Royal Gazette*, May 2, 1789.

³⁷² Robert Fogel and Stanley Engermann cited the capacity of North American slaves to naturally increase as one sign that slavery in the US South was of a gentler nature, see Fogel and Engermann, *Time on the Cross: The Economics of American Negro Slavery* (Boston: W. W. Norton, Inc., 1974) and Fogel and Engerman, *Time on the Cross: Evidence and Methods—A Supplement* (Boston : W. W. Norton, Inc., 1974); Robert William Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery* (Boston: W. W. Norton, 1989). For two reviews (and rejections of) the work see Herbert Gutman, *Slavery and the Numbers Game: A Critique of Time on the Cross* (1975; reprint by the Board of Trustees of the University of Illinois, 2003); Peter Kolchin, “More Time on the Cross?: An Evaluation of Robert William Fogel’s *Without Consent or Contract*,” *The Journal of Southern History*, 58 (1992): 491-502.

the differences in each colony regarding the traditions associated with slave marriage are important to analyze.

Bermudian Courts and the Tradition of “Halving”

While we hold very little direct testimony from enslaved laborers Bermuda’s source base is unique in its large collection of seventeenth-century court cases that prosecuted slaves for defying colonial regulations of morality. Virginia Bernhard notes all inhabitants of Bermuda’s early period were subject to a “Puritanical” form of morality that corporally punished those guilty of fornication or similar instances of infidelity.³⁷³ Such measures made the illegality of slave marriage in Bermuda the greatest contradiction in the colonial project, as slaves remained subject to the moral regulations of white colonists, while simultaneously being barred from enjoying the same legal benefits. Court cases in the seventeenth century reveal numerous accounts of slave punishments for fornication and/or adultery. In many of the earlier cases immoral practices were described as “incontinency,” suggesting that a lack of self-restraint was enough for colonial authorities to mete out the punishment. In one example, two slaves named Tomakin and Marda were censured to be whipped for “incontinency”.³⁷⁴ The particular evidence presented against them is unknown, as very few details were given for such cases. It is presumed that in most of the cases where punishments were meted out the accused either confessed to the crime or were speedily found guilty of the offense.

³⁷³ The notion of Puritanical influence in Bermuda was suggested by Bernhard, *Slaves and Slaveholders*, 40-43.

³⁷⁴ “1650 November, Assizes Presentments of the Grand Inquest,” in *Bermuda Under the Somers Island Company, 1612-1684, Civil Records*, Volume I 1612-1669, ed. A.C. Hollis Hallett (Bermuda: Juniperhill Press and Bermuda Maritime Museum, 2005), 301.

Slaves, of course, possessed very few advantages in the legal system and were subject to penalties that ranged from whippings, sales, or death. Regardless of racial background, Bermudian laws in the early eighteenth century were generally rather harsh. In cases of theft, for example, judicial records reveal that both white and black males, whether enslaved or free, would most likely face the death penalty.³⁷⁵

Punishments for immorality, however, comprise a surprisingly large share of court convictions for slaves. Problems were compounded by the fact that a “slave marriage”, in fact, was never entirely defined. The legislative actions suggest that if the enslaved spouses recognized one another as cohabiting in a monogamous relationship they were subject to similar rules as the free white inhabitants. Given Bermuda’s small-scale agricultural setting, this presented numerous issues for slaves who typically married spouses that dwelled in other parts of the island. A 1658 case undertaken by the Somers Island Company (SIC), a company chartered by the British Crown with administrative decisions, attempted to alleviate this dilemma by overseeing a case in which an unnamed enslaved male and female found difficulty in performing the duties of marriage due to the distance of their residences from one another. Much of the complaint revolved around “the Lawes now in force in the said islands, forbidding any negro man or woman whatsoeuer to be out of their master’s plantation half an hour after sunset vpon the payne of Death.”³⁷⁶ As was typical in other colonies Bermuda’s slaves typically did their romancing at night after their work was concluded, but white paranoia of nighttime collaborations among slaves curtailed these nightly visits through legislative action. The

³⁷⁵ Assize Court 1726/35 AZ/102/6, Bermuda National Archives. For a listing of numerous cases involving both blacks and whites, including the charge and punishment, see page 543 in this archived volume.

³⁷⁶ “At a Genrall Quarter court Deriuatiue Watling Street, 20 May 1658,” in *Memorials of the Bermudas*, vol. 2, 107.

SIC decided the best solution was that the female's owner should "in the space of 1 or 2 yeares" procure a replacement for the owner of the male in order for the enslaved man to live with his wife.³⁷⁷ While it is difficult to know if the negotiation ever came to fruition, this does suggest that the preservation of this individual marital union was of some priority for Bermudian slave owners.

The intervention of the SIC in the case is a unique feature of Bermudian slave history and demonstrates the small size of the island probably made governmental intervention a bit more fluid when compared to other locations throughout the Atlantic, particularly the North American mainland. While a select few documents reveal that some arrangements were made for preserving enslaved marital unions, these decisions appear as more of an anomaly in the legislative process of Bermudian slave marriages.³⁷⁸ Considering that much of Bermuda's information for slave marriages in the seventeenth and eighteenth centuries hails from court cases, it quickly becomes apparent that the marriages of slaves were treated more as the linking of moveable property rather than the sacred unification of human beings. However, the fact that slaves appeared in court the same as the white population adds weight to Virginia Bernhard's contention that racial differences permeated Bermudian society in different ways than other locales that also used racially-based chattel slavery.

Such suppositions are validated by a tradition of ownership in Bermuda called "halving" that made it unique from its counterparts elsewhere in the Atlantic. In these

³⁷⁷ "At a Genrall Quarter court Deriuatue Watling Street, 20 May 1658," in *Memorials of the Bermudas*, vol. 2, 107.

³⁷⁸ In certain documents enslaved males are listed with their wives, see: "John Dutton to Sir Nathaniel Rich 4 December 1621," in *The Rich Papers, Letters from Bermuda 1615-1646: Eyewitness Accounts Sent by the Early Colonists to Sir Nathaniel Rich*, ed. Vernon A. Ives (Toronto: University of Toronto Press, 1984), 233-234.

cases legislative authorities decided that in the case of slave children produced through marriages where the spouses resided in different locations, the slave owners would equally divide the children amongst themselves. While past scholarship has briefly noted the practice's importance to Bermudian law, it has yet to be placed in the appropriate comparative and Atlantic context.³⁷⁹ The tradition appears to have begun as early as 1630 upon an inquiry as to which owner had rights to more than one slave child if the parents were not owned by the same person.³⁸⁰ By 1676 matters were more or less resolved through an agreement between a Mr. Basden and Mr. Harvey that after their slaves solemnized matrimony Basden "should have the first Childe, and Mr. Harvey ye next that should be borne, and soe successively."³⁸¹ The solution essentially stipulated that slave children were not products of their parents, but physical commodities that were divided amongst the owners. The owner of the female typically took the first child, the owner of the male the second, and the distribution was subsequently repeated at the birth of each child. It appears to have set a precedent, since by 1685 colonial authorities referenced the "custom here...that if one Neighbor's Slave marrieth with another Neighbor's slave, the children are to be divided betwixt them."³⁸² Unlike other territories that usually sent the

³⁷⁹ The secondary works usually references cases in which the practice occurred, but their analyses do not provide the level of contextualization the unique tradition deserves. See Packwood calls it "one of the biggest problems" Bermudian slave owners experienced in delineating the ownership of slaves when the engaged in abroad marriages, Packwood, *Chained to the Rock*, 56; also 98. Virginia Bernhard suggests that the ownership of the children of black bondservants was "another indication of the ambiguous status of black servants in a society where slavery was not yet fully defined," see Bernhard, *Slaves and Slaveholders*, 42.

³⁸⁰ "At a counsel Table held the 17th of July 1630," *Memorials of the Bermudas*, vol. 1, 505.

³⁸¹ The attestation of Arthuer Weekes taken before Sr John Heydon Kt & Governor this 12th day of January 1675/6. Upon Oath," *Memorials of the Bermudas*, vol. 2, 428. Also see an earlier case of two Indian slaves in Lefroy, ed., *Memorials of the Bermudas*, vol. 1, 669-670.

³⁸² "Letter from Col. Cony to the Committee," *Memorials of the Bermudas*, vol. 2, 547-548.

children of “abroad relationships” to live with the mother, Bermudian tradition negated the affections of enslaved parents and provided the most advantages to the owners who could equally divide human beings like other chattel property.

The earliest decision that sought to specify the rules of the slave’s relationship is found in a 1631 case concerning a dispute that arose over the legitimacy of a child that died at birth. Instead of instigating a humane response the slave child’s death promoted the development of a more successful method for dividing property. The concern centralized within whether or not the deceased child was to be included in the tradition of “halving”. The committee concluded that “a negro child nott weaned from the mothers breasts shall not hereafter be accounted in the number of haluing in the Somer Islands,” and a “fourth” child was awarded to the inquirer John Crafte.³⁸³ For these owners, replacing the estimated value of a dead child was of more importance than the human element of preserving the health and well-being of enslaved bodies. Despite the supposed mild conditions of Bermudian labor, slaves were denied everything sacred that a marital union provided for free citizens, and they remained peripheral to the decisions made concerning ownership of their children.

An important question heretofore unconsidered, however, is what “halving” can reveal about the distinctive nature of slavery in Bermuda. The US South is the only other region with an extensive documentary record that stipulated the division of slave children at the occurrence of a birth from two slaves in an abroad relationship. The similarity is likely due to the circumstances of enslavement in both locales where most plantations were of a smaller scale than their counterparts in the West Indies. While the US South

³⁸³ “Council, Oct. 1631,” *Memorials of the Bermudas*, vol. 1, 526.

certainly held its share of large plantations many slaveholders depended upon a workforce that was numerically limited and probably related to one another, prompting the individual slaves to seek partners elsewhere to avoid incest. The nineteenth-century South, however, was quite different than Bermuda in that a number of former slaves and visitors to the region noted that the owner of the mother held claim to the offspring of the children, and it appears there existed a general understanding among slave owners throughout the Old South of an unwritten rule that all children belonged to the owner of the mother who bore them. According to a former South Carolina slave he became the property of his master John Propst due to the fact that the “ownership of de child followed de mammy in dem days.”³⁸⁴ Unlike the interventions revealed throughout the papers of the SIC southern courts do not appear to have interjected into the traditional practices of the American South, but instead allowed them to develop organically through cultural tradition. This notion is complemented by some divergences in the general practice through private agreement by slaveholders in the American South.

In one distinct occurrence a former slave from Mississippi recollected the agreement struck between two slave owners of neighboring plantations in deciding the claims upon the slave offspring, in which her master “John say he’d buy mammy and den he would loan her over to Marse George for pappy. An’ de fust chile would be Mr. John’s, an’ de secon’ Marse George’s, an’ likewise.”³⁸⁵ This private deal was highly unique in the traditions of the antebellum South, but probably provides an accurate

³⁸⁴ George P. Rawick, ed., *The American Slave: A Composite Autobiography*, volume 3, *South Carolina Narratives* (Westport, CN: Greenwood Press, 1977), part 4, 42; *The American Slave*, volume 5, supplement series 1, *Indiana Narratives*, 155; *The American Slave*, vol. 12, supplement series 1, *Oklahoma Narratives*, 90.

³⁸⁵ *The American Slave*, vol. 7, *Mississippi Narratives*, 158.

description of how such relationships developed in Bermuda. The primary difference between the two societies, however, is that the tradition of splitting children appeared to have attained a legislative legitimacy under the Bermuda court, whereas antebellum slave owners were simply following a tradition established at some unknown point in American history.

This tradition of splitting children as property was more or less unchallenged throughout the period of Bermuda's involvement in slavery, but it faced resistance in one court case where an owner refused to recognize the tradition as a law. The 1720 case explained that when slaves "were permitted to be joined together as man & wife, the owners of such slaves are to have an equal division of such slaves," and the defendant Richard Johns was being sued for attempting to undermine the tradition.³⁸⁶ Johns claimed there was "no such customes of these islands" and the "Negro man slave call'd Jack, and the said Negro woman Call'd Bess, were not joyn'd together as man and wife, by and with consent & approbation of their owners."³⁸⁷ Johns' excuse for ignoring the tradition is revealing, since he cites the notion that the slaves were never appropriately joined together in matrimony as his primary defense. The inability for slaves to access a legally recognized marriage marginalized their capacity to contribute to discussions over their own children, and they were generally unable to present legitimate proof of their nuptials at the threat of legislation. Unfortunately, no conclusion is listed for this particular trial, but it is significant in uncovering the relative powerlessness enslaved people experienced as their children were bargained over by masters who sought financial gain above human

³⁸⁶ "Leonard White of the Town and Parish of St. Georges and Deborah his wife against Richard Johns of Warwick Tribe," in Court of Assize Proclamations, AZ/102/5, page 11, Bermuda National Archives.

³⁸⁷ "Leonard White of the Town and Parish of St. Georges and Deborah his wife against Richard Johns of Warwick Tribe," in Court of Assize Proclamations, AZ/102/5, page 12, Bermuda National Archives.

decency. Neither Jack nor Bess were ever provided opportunity to voice their opinion, but remained peripheral in discussions that determined the living conditions of their child.

The Social Customs of Bermudian Slaves

In Bermuda specifically, the House of Assembly reported in 1789 that no law existed “restraining the power of the master in the correction of slaves” and further claimed “the treatment of slaves in this colony has been such as to render a local law affording them protection against their Masters unnecessary.”³⁸⁸ It is likely that such reports paid lip service to the committee that disseminated the questions, but it does reveal that Bermudian slave owners in the late eighteenth century still enjoyed absolute power over their slaves. Through an analysis of court cases and legislative developments up to the abolition of slavery in 1834, this chapter demonstrates the inconsistencies in how government officials and slave holders treated slave marriages through examining the silence of the legislative process and the activities of the courtrooms and religious organizations.

When asked of the marital conditions of enslaved laborers, a 1781 questionnaire stated slaves “were too much governed by fancy” and claimed they were on a similar level as the “unenlightened Europeans” in their attachments to promiscuity.³⁸⁹ The response suggests that Christian marriages had not yet become the norm among most

³⁸⁸ January 16th, 1789, *Journals of the House of Assembly*, 1788-1796, Bermuda National Archives; “Copy of the Queries and Answers Referred to in the Minutes of the House of Assembly, Inserted in our Last Week’s Paper,” *Royal Gazette*, May 2, 1789.

³⁸⁹ See section 14 in George Bruere, Lieutenant Governor of Bermuda, 1781 Mar 26, No. 4, CO 37/38/16, The National Archives, Kew.

slaves, and the respondent's critical notation reveals the interplay between class and race in detailing moral inferiority. An amendment to the note, however, did explain that certain "well-principled negroes keep constantly to one woman" and even if they disregarded a marriage ceremony they continued to remain with a single spouse.³⁹⁰ The brief notation also reveals that slaves generally governed their own marital practices. While any specific matrimonial description has yet to be uncovered, it is highly likely that slaves' refusals to conform to Christian ceremonials suggests their proclivity to engage in customs that were either more similar to their ancestral rituals, or they utilized ceremonies that were cultural hybrids. Similar to the African, European, and Amerindian fusion that formed the "Gombey" dance, in which African drumming and linguistic expressions were fused with European religious concepts and Native American fashion to form the national dance of Bermuda, the island's slave community likely engaged in marital practices formulated through similar cultural exchanges.

The nature of Bermudian slavery likely provided unique circumstances for slaves' marital patterns and practices. Early in its history Bermuda manifested a sex ratio that was divided equally between males and females and allowed the enslaved to naturally increase their own population through healthy birthrates. For these reasons, Bermudian slaves were provided greater advantages in seeking out long-term domestic attachments when compared to their counterparts in the West Indies and coastal southern colonies. Conforming to Christian ritual, however, was a different situation. In 1789 the Bermuda House of Assembly was required to address the state of slavery upon the island, with particular emphasis upon the economic productivity of the slave population, racial

³⁹⁰ See section 14 in George Bruere, Lieutenant Governor of Bermuda, 1781 Mar 26, No. 4, CO 37/38/16, The National Archives, Kew.

demographics, and the social conditions of masters and slaves within the small island colony. The report was prompted by an increasingly vociferous abolitionist movement that permeated its influence throughout the Atlantic world at the end of the eighteenth century, prompting slave owners and their investors to account for accusations concerning abuses and cruelties heaped upon the enslaved populations. Abolitionists were particularly concerned with the disregard for enslaved familial units and alleged that slave owners in the British colonies negated any concern for the preservation of slaves' kinship ties or bothered to educate their laborers upon the tenets of Christian principles. With a degree of brevity, Bermuda's House of Assembly wrote that slaves were "fond of domestic lives, and form early connections, but have no ceremony of marriage."³⁹¹ Though brief, this statement speaks volumes to the multi-dimensional domestic relationships slaves formed within the unique slave system of Bermuda.

The fact that white legislators still determined that slaves held "no ceremony of marriage" by 1789 suggests a number of possible scenarios that revolve around the degree of autonomy slaves held in forming connections, the master's level of indifference to their preference of ceremony, and the strength or weakness of Christian evangelism upon the island. While it appears that slaves embraced monogamy, they still disregarded the necessity of a public display of the marital union. It is also important to note that 1789 is a rather late entry in the grand scheme of British Atlantic slavery, as slaves were emancipated only forty five years later through an imperial order. Given that the slave population was most likely creolized much earlier in the eighteenth century, it is rather

³⁹¹ January 16th, 1789, *Journals of the House of Assembly*, 1788-1796, Bermuda National Archives; "Copy of the Queries and Answers Referred to in the Minutes of the House of Assembly, Inserted in our Last Week's Paper," *Royal Gazette*, May 2, 1789.

remarkable that planters and missionaries had largely failed to introduce Christian matrimony among groups of slaves who supposedly lived under a more benign institution of slavery.

The most likely reason that slaves did not embrace Christian marriage rituals lies within their general disinterest in embracing Christian ritualistic standards, alongside the inability of missionaries to deeply penetrate the slave communities. As late as the 1780s, Bermudian legislators claimed that no missionaries were present on the island except a few sent by the Moravians.³⁹² While it is certainly possible that colonial legislators correctly judged that slaves chose to forego public ceremonies, it is likely that slaves used some ritual display to symbolize their commitment. The documentary evidence, however, is not sufficient to comfortably presume the ceremonies slaves conducted among themselves. The only extant documentation of slaves' private ceremonies comes from a post-emancipation claim that slaves used the European ceremony of "jumping the broom", a custom that held transatlantic connections between common whites and slaves in the U.S. South to Celtic communities and English commoners throughout the British Isles.³⁹³ According to one oral tradition slaves clasped hands and jumped over the

³⁹² George Bruere, Lieutenant Governor of Bermuda, 1781 Mar 26, No. 4, CO 37/38/16, The National Archives, Kew; January 16th, 1789, *Journals of the House of Assembly*, 1788-1796, Bermuda National Archives; "Copy of the Queries and Answers Referred to in the Minutes of the House of Assembly, Inserted in our Last Week's Paper," *Royal Gazette*, May 2, 1789.

³⁹³ For elaboration upon the customs transatlantic dimensions see Alan Dundes, "'Jumping the Broom': On the Origin and Meaning of an African American Wedding Tradition," *The Journal of American Folklore* 109 (1996): 327; C. W. Sullivan III, "'Jumping the Broom': A Further Consideration of the Origins of an African American Wedding Custom," *The Journal of American Folklore* 110 (1997): 203-204; C. W. Sullivan, III, "'Jumping the Broom': Possible Welsh Origins of an African-American Custom," *Southern Folklore* 55 (1998): 15-23; Tyler D. Parry, "An Irregular Union: Exploring the Welsh Connections to a Popular African-American Wedding Custom," in *Welsh Mythology and Folklore in Popular Culture: Essays on Adaptations in Literature, Film, Television, and Digital Media* eds. Audrey L. Becker and Kristin Noone (Jefferson, NC: McFarland and Company, Inc., 2011), 108-129; Tyler D. Parry, "'Jist Lak...De White Folks': 'Jumping the Broom' as a Case Study in Exploring the Intercultural and Atlantic Dimensions of Southern Society" (Master's Thesis: University of South Carolina, 2011).

broomstick “three times, the stick being held at an easy height by the groomsmen.”³⁹⁴

From the perspective of ritual performance the Bermudian rendition is validated by its similarity to the claims of former slaves in the American South who also testified to using similar formats, including one account that mentions jumping over the broomstick thrice alongside the notion that fellow slaves held up the broomstick for the couple.³⁹⁵ How the ritual might have penetrated the Bermudian slave community is unclear, but the migration of British folk rituals to the island is the most likely scenario. Without validation from those who either witnessed or participated in the ceremony, however, it is unclear how widespread or how early the custom was adopted.

Despite the cultural appropriation, the broomstick ceremony would still have been rendered an invalid marital ceremony and subjected slaves to the same oppressive legislation as other ritual actions. The more interesting question concerns how marital relations among the enslaved related to the expectations of missionaries and other white colonists. Despite their disregard for the Christian ceremony, the notion that slaves were fond of domestic attachments appears consistent with the aforementioned reference of Bermudian slaves who chose to return to their families rather than accept freedom in England, and it is a well-known feature of the scholarship in Atlantic slavery to argue that kinship was an important feature of slaves’ survival in the African Diaspora.³⁹⁶ Slave

³⁹⁴ William Zuill, *Bermuda Journey: A Leisurely Guidebook* (New York: Coward-McCann, Inc., 1946), 181. Also see Smith, *Slavery in Bermuda*, 46; Packwood, *Chained to the Rock*, 82.

³⁹⁵ George P. Rawick, ed., *The American Slave*, volume 12, *Georgia Narratives*, part 1, 207; *The American Slave*, vol.5, supplement series 2, *Texas Narratives*, part 4, 1662; Miles M. Fisher, *The Master’s Slave: Elijah John Fisher, A Biography* (Philadelphia: The Judson Press, 1922), 5.

³⁹⁶ Joyner, *Down by the Riverside*, 137; Thornton, *Africa and Africans*; James Sweet, *Recreating Africa*; Walter Hawthorne, “‘Being Now, as It Were, One Family:’ Shipmate Bonding on the Slave Vessel Emilia, in Rio de Janeiro and throughout the Atlantic World,” *Luso-Brazilian Review*, 45 (2008): 53-77.

sexual relationships and matrimonial worldviews, however, frequently did not align with European outlooks.

It is difficult to fully grasp the reality of a child being bargained by slave owners who were more concerned with preserving economic advancements through their slave capital than providing enslaved parents with access to their children. Kinship for slaves throughout the Black Atlantic was certainly a premier feature of surviving the psychological damages of enslavement, and the aforementioned case of the majority of liberated slaves choosing to return to their families in slavery suggests that kinship was particularly prominent for Bermudian slaves. The absence of enslaved voices, of course, makes it quite difficult to investigate the slaves' inner emotions. In one of the only enslaved voices hailing from Bermuda, ex-slave Mary Prince recollected her parents were owned by separate masters. Prince's narrative is arguably the most valuable testament in destroying the notion that Bermuda's slave masters were more benevolent than their counterparts in the West Indies, as she catalogued instances in which she either witnessed or experienced undeserved physical abuses, forced separations, and sexual assault. In fact, Prince's treatment was so harsh by her Bermudian master and mistress that she initially felt "great joy" at being sent away to labor in the salt ponds of Turks Island. As she toiled in the harsh conditions of the salt ponds, however, she subsequently experienced boils and deteriorating health and eventually manifested a desire to return to the land of her birth.³⁹⁷

³⁹⁷ Mary Prince, *The History of Mary Prince, a West Indian Slave. Related by Herself. With a Supplement by the Editor. To Which Is Added, the Narrative of Asa-Asa, a Captured African* (London: F. Westley and A.H. Davis, 1831), 9.

Upon realization that she was to return to Bermuda, she exclaimed feelings of joy at the opportunity to see “my native place again, my mother, and my kindred.”³⁹⁸ Prince’s father, however, had died some time during her residence at Turks Island “and [was] buried before any of his children in Bermuda knew of it, they being slaves on other estates.”³⁹⁹ The statement is a reminder of the anonymity that occurred with separation of families that produced the unknown resting places of one’s kin. Additionally, after Prince successfully requested removal to Antigua her mother died, and her narrative reveals that the fate of her seven brothers and sisters remained unknown to her; except a rumor of the oldest sibling being taken to Trinidad by her master and father of her children, and the youngest who remained a slave in Bermuda.⁴⁰⁰ Such easy separation of families was prevalent throughout the Atlantic World, Despite Bermuda’s small size many families did not live amongst each other, making the sales easier through the lack of protestations among the familial unit.

The Influence of Religion on Slave Marriage

In European law marriage was placed in both legal and religious zones. Unlike the more purely religious action of baptism, marriage was categorized as a legal requirement for guaranteeing the rights of inheritance and recognition, as well as a religious obligation that determined the moral proclivities of Christian subjects. The complex matrix of legislative and ecclesiastical restraints ensured that marriage remained a complex subject within Bermuda, as the island was ecclesiastically dominated by the Anglican Church

³⁹⁸ Prince, *The History of Mary Prince*, 12.

³⁹⁹ Prince, *The History of Mary Prince*, 12.

⁴⁰⁰ Prince, *The History of Mary Prince*, 12.

through much of its history. In seeking to preserve Anglican dominance of the colony's religious instruction, Bermudian officials jailed Irish Methodist missionary John Stephenson for "preaching the Gospel of Jesus Christ to African blacks and captive negroes."⁴⁰¹ After Stephenson's imprisonment, the legislature passed a measure that prevented any minister outside the Churches of England and Scotland from "acting as Preachers or Schoolmasters," and stripped them of the authority to legally perform the rites of baptism and marriage within the colony.⁴⁰² The proscription was eventually alleviated with the arrival of Stephenson's successor Joshua Marsden, who built the first Methodist Chapel in Bermuda.

Arguably the most noteworthy Methodist missionary was Edward Fraser, the aforementioned former slave who traveled extensively throughout the Atlantic encouraging slaves to embrace a relatively strict doctrinal conformity to the moral principles of Christianity. Fraser's time as a slave was rather unique in comparison to any of his counterparts, particularly in his Barbadian home. As he benefitted from his master's favor he was not forced to toil in the harsh conditions of sugar slavery. He gained an education at the behest of his master and a few churchmen and he was eventually employed (while remaining a slave) in the mercantile industry "to write accounts and to perform the clerical duties associated with such an establishment."⁴⁰³ His privileged position, however, did not detract him from understanding the evils of slavery.

⁴⁰¹ Thomas Watson Smith, *History of the Methodist Church within the Territories Embraced in the Late Conference of Eastern British America, Including Nova Scotia, New Brunswick, Prince Edward Island and Bermuda*, volume 1 (Halifax, N.S.: Methodist Book Room, 1877), 463.

⁴⁰² *Ancient Journals of the House of Assembly of Bermuda from 1797 to 1808*, volume 4, page 122, Bermuda National Archives.

⁴⁰³ Unpublished manuscript of Cyril Packwood, "Slave Born Missionary: The Life of the Reverend Edward Fraser," page 7, Bermuda National Museum.

One Methodist historian and contemporary of Fraser's wrote in 1862 that Fraser unapologetically judged slavery to be a "grievous wrong, most unjust and sinful" and while he often spoke "very tender of his owner" Fraser felt his "own degradation and wrong more deeply than those who were less educated."⁴⁰⁴ In this interpretation, Fraser's education increased his consciousness of his own enslavement, and the idea haunted him. While Fraser eventually attained his freedom when he moved to Bermuda and began his ministry, he became a vigorous advocate for both encouraging missions to slaves and abolishing slavery throughout the Atlantic world.

From his personal writings it appears that slave marriages served as one of Fraser's most important, and perhaps frustrating, topics. A doctrinal conservative, Fraser was aware that the indifference of the master class toward the evangelization of their slaves was a significant obstacle to slave conversions, but he was equally as critical of African-based traditions like the "goombay" dance that formed a staple of Afro-Bermudian Christmas traditions. In one example, Methodist Missionary William Dowson wrote in 1824 that "Edward...a promising young man (single) of colour, [and] a slave" encouraged "a great visible moral change" among the slave populations of his area as "very few from this part were found to follow Gumba."⁴⁰⁵ Conformity to Christian living became one of his defining principles, and Bermuda was the location where Fraser performed his first slave marriage. The combined influences surrounding Fraser's Fraser's Methodism, personal circumstances, and the general atmosphere of British-Atlantic slavery in the 1820s probably encouraged his dogmatic approach toward slave

⁴⁰⁴ George Smith, *History of Wesleyan Methodism*, volume 3, *Modern Methodism* (London: Longman, Green, Longman, and Roberts, 1862), 331.

⁴⁰⁵ "William to Dowson to the Methodist Missionary Committee, January 19, 1824" in Cyril Packwood, "Slave-Born Missionary: The Life of the Reverend Edward Fraser," page 30, Bermuda National Museum.

matrimony. His colleagues in the ministry often complained of the lack of legislation protecting slave marriage.

Even after the amelioration programs, however, ministers found that slaves were still reluctant to legitimate their marriages through Christian ceremony. Dowson, for instance, once threatened a free black couple with expulsion if they did not marry immediately, even though they had been a part of the Society for three years.⁴⁰⁶ According to Packwood, Fraser himself “did not want to marry while still a slave” and postponed any betrothal until he was manumitted on January 22, 1828.⁴⁰⁷ Around the same time he gained his freedom he was appointed as a legitimate Methodist preacher and in the beginning of 1829 he was to be stationed in Antigua to begin his ministry. However, his remaining months in Bermuda were formative for his future approach to dealing with the Christianization of slaves. In his final letter from Bermuda Fraser reported that he had rejected two of three adults who requested membership into the church. The two he rejected were living in a state of concubinage and he declared he would not accept them until they were formally married. In one of his final observations he relented that the missionary society in Bermuda was “impeded by the difficulties in the way of Marriages among the Black and coloured people.”⁴⁰⁸ Fraser perceived that much of the problem remained in the slave communities that developed their own traditions apart from the Euro-Christian standard.

⁴⁰⁶ Information is found in a letter from “Roger Moore to the Committee, March 10, 1827,” Cyril Packwood, “Slave-Born Missionary: The Life of Reverend Edward Fraser,” page 44, Bermuda National Museum.

⁴⁰⁷ Cyril Packwood, “Slave-Born Missionary: The Life of Reverend Edward Fraser,” pages 46 and 47, Bermuda National Museum.

⁴⁰⁸ Fraser to the Committee, October 27, 1828 in Cyril Packwood, “Slave-Born Missionary: The Life of Reverend Edward Fraser,” page 52.

Even in a place like Bermuda that held a more or less creolized enslaved population, Fraser was demoralized to find the lack of concern they expressed for engaging Christian matrimony. In an interesting aside, Fraser was forced to reject his own fiancé, a free Bermudian of color, because she was unfaithful to him while he resided in Antigua; an experience that may have further soured his impressions of how many blacks in the Atlantic approached the solemnity of the marriage vow. The Methodist church certainly had some success in their mission to encourage matrimonial conformity among enslaved populations, but the frustration of this movement that was typically far more efficient in its evangelization throughout the Atlantic world helps contextualize the near ubiquitous problems encountered by a missionary organization that was far less effective in Bermuda: the Anglican church.

Despite the enjoyment of legal protection throughout the period of Bermudian slavery, the accumulation of social capital among individual ministers within the Church of England presented internal issues that stunted the growth of the institution in eighteenth-century Bermuda. In January of 1772 Bermuda's Governor George Bruere received a complaint from a missionary named Mr. Littleton who accused fellow missionary Alexander Richardson of taking "every opportunity and advantage to marry his parishioners, as [he] had refused to marry anywhere but in the church."⁴⁰⁹ Bruere did very little to alleviate the situation beyond his correspondence with Richardson that addressed the complaint, but the letters are particularly useful in calibrating the divergent intentions of missionaries stationed in different areas of the same colony. Richardson's more liberal agenda granted marriage licenses to most willing communicants was

⁴⁰⁹ Letter from George Bruer to Rev. Richardson, Jan. 16, 1772 in The Fulham Papers General Correspondence Bermuda and Jamaica, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309.

attractive to those outside his jurisdiction, whereas Littleton stressed more rigid conformity to performing the rituals of the church service “at proper hours, and in the church.”⁴¹⁰ Bruere noted that Littleton’s methods were unpopular to certain inhabitants, despite the fact that they completely fulfilled the requirements of Anglican matrimony. Since no imperial law was enforced within the island, marriage could potentially become contested ground among churchmen seeking either self-promotion or recognition from their superiors.⁴¹¹ The polarized methods of evangelization between these two ministers provide an example of the difficulty of stressing doctrinal conformity from both within and outside the Church of England. Disagreements amongst missionaries certainly affected the process of evangelization, and the degree to which their teachings of Christian moral conformity transferred to slaves remains an important subject for analysis.

Similar to other locations in the Atlantic, the combined pressures of legal and religious obligation presented obstacles for enslaved Bermudians who sought out domestic relationships. Even if a minister solemnized a slave union through religious ceremony, this never prevented forcible separation. Slave masters maintained their legal right to manipulate slaves’ bodies and this authority ultimately trumped the religious provision. The indissolubility of the legally recognized marital bond never applied to slaves. While church marriages might have looked attractive to slaves seeking social advancement or favorable treatment, the few enslaved couples who enjoyed a union

⁴¹⁰ Letter from George Bruere, Jan. 24, 1772 in *The Fulham Papers General Correspondence Bermuda and Jamaica*, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309.

⁴¹¹ One letter in the Bermudian SPG papers reveals no Imperial action regarding marriage legislation had been undertaken by 1796, see Letter of Dan Leonard, April 12, 1796 in *The Fulham Papers General Correspondence Bermuda and Jamaica*, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309. As noted above, the law was adjusted at the threat of Methodism in the colony in 1800.

conducted through ecclesiastical church service were never guaranteed protection against the intrusions of sadistic masters. Providing no legitimate protection to their physical well-being, slaves largely eschewed the performance of church-sanctioned unions. Baptism, by contrast, was embraced with much more vigor among the enslaved population, due to the fact that the ritual significance of baptism could not be shattered, except through unpardonable sins. Additionally, baptism did not jeopardize the master's claim to his property, and if anything baptism presented even greater access to social control. In many respects, baptized slaves were dually subjected to the master's punishments as well as church discipline, and even the well behaved and pious slaves still faced the looming threat of forced separation. For this reason, documentary evidence suggests that while some slaves embraced the baptismal rite, very few enslaved Bermudians bothered to engage the church sanctioned wedding, despite the best efforts of missionaries who attempted to promote doctrinal conformity among the baptized slaves.

The connection between marriage and religion was arguably one of the most prominent obstacles to initiating any doctrinal conformity among the enslaved population. Like most slave owners throughout the British Atlantic, white Bermudians held reservations about encouraging slave conversion, believing it led to insolence among their largely creole born slave population. In 1669 lawmakers hesitated in their decisions concerning the legitimacy of baptisms performed by minister Samuel Smith before releasing a proclamation that warned slaves to “not thereby think themselves more free from their Masters and Owners, but rather, by the meanes of their Christian profession,

obliged to a more strict bond of fidelity and service.”⁴¹² While masters continued to suspect that missionary’s held a clandestine plan for using religion to uproot the system, this early pronouncement suggests that Christianity was used as an institution for social control only six decades after colonization. Slaves were increasingly baptized throughout the colonial period and church registrars cheerfully added larger numbers of enslaved congregants to their rolls. Previous scholarship, however, has tended to assume that a Christian baptism was equated with Christian lifestyle. In viewing the records of sacramental performances after baptism, however, it appears that slaves did not so easily conform to the conditions of Christian moral practice.

The growing number of slaves who embraced Christian baptism was certainly appealing for outsiders observing the colonial project, but the writings of missionaries in the late-eighteenth century reveal that slave Christianization was more complicated. Alex Richardson noted in 1789 that “no cruelty of any kind” was practiced in Bermuda, “except that of denying them [the slaves] instruction, and, very lately baptism.”⁴¹³ Despite evidence that growing numbers of enslaved congregants appeared in Bermuda’s churches by the late eighteenth century, Richardson expressed skepticism at the possibilities for expanding the mission in the future. At one point he even noted he “omitted to baptize negroes in public” except at their master’s request.⁴¹⁴ As late as 1790 Governor Henry Hamilton noted that white Bermudians were still plagued with the fear

⁴¹² For the initial hesitation see “At a Councell Table 22nd October 1669,” *Memorials of the Bermudas*, vol. 2, 291-292. For the quote see “A Proclamation in answer to the Negroes petition tending to liberty & freedom, by Sir John Heydon Governor 13 Novem. 1669,” on page 293 of the same volume.

⁴¹³ Letter of Alex Richardson, May 13, 1789,” in *The Fulham Papers, General Correspondence Bermuda and Jamaica*, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309.

⁴¹⁴ Letter of Alex Richardson, May 13, 1789, in *The Fulham Papers, General Correspondence Bermuda and Jamaica*, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309.

of the educated slave, believing that a Christian education rendered them insubordinate and prideful. Hamilton believed the conversion of slaves depended “first on the conversion of their masters, secondly on the constant kind attention of the clergy.”⁴¹⁵

Hamilton and other white colonists harbored the opinion that slaves were easily manipulated into copying the examples of white society. According to their logic, the primary obstacle to slave conversion was not based upon whether or not the slave was willing to embrace the gospel, it was the poor examples set by slave owners and sailors who provided few instances of Christian living.

Despite the fact that slaves left very few detailed records of their own experiences, scanning the records of missionaries and church registrars provides some idea of the social conditions associated with slave Christianity. One of the most detailed records comes from Alexander Ewing, a missionary employed by the Church of England who served various parishes throughout the island from 1791 to 1820. Ewing meticulously recorded the baptisms and marriages he officiated throughout his nearly 30 years of proselytization, and the records of enslaved baptisms and marriages reveal significant contrast in how both rituals were approached by enslaved laborers. Ewing was particularly zealous in proselytizing slaves. By the end of his ministry in one area, Ewing baptized an astonishing 617 enslaved laborers described as “negro”, “mulatto”, or “colored”, the total of which comprised over 25% of his total baptisms. In contrast, Ewing conducted 569 marriage services, of which only two included black couples.⁴¹⁶

⁴¹⁵ Letter of Henry Hamilton, May 20, 1790 in The Fulham Papers, General Correspondence Bermuda and Jamaica, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309.

⁴¹⁶ “Ewing Register 1791-1820” in *Early Bermuda Records 1619-1826: A Guide to the Parish and Clergy Registers with Some Assessment Lists and Petitions* A.C. Hollis Hallett, ed. (Bermuda: Juniper Hill Press, 1991), 247-302.

Such contrasting statistics are striking, but provide particularly useful data for determining the cultural and social preferences of Bermudan slaves who were generally familiar with European social mores. It appears that despite nearly two hundred years of cultural amalgamation enslaved laborers still largely rejected Christian matrimony well into the nineteenth century due to their preference for unions conducted outside ecclesiastical supervision. It is difficult to know whether such linkages were based upon ancestral traditions or for reasons determined by the experiences of slavery. It was probably a combination of the two. Since slave marriages did not provide legal protection many slaves found no incentives for engaging in this Christian practice for the majority of slavery's existence in the Anglophone Atlantic.

It is important to note that early in his career Ewing was particularly skeptical of the possibilities of encouraging slaves to embrace Christianity. Writing in 1791, Ewing contended that neither clergy nor owners encouraged slaves to attend the divine service, and lamented that “the number of baptized negroes bears no proportion to that of those who remain in a state of heathenism and gross ignorance.”⁴¹⁷ Ewing and his colleagues certainly exposed more slaves to Christian theology during the early nineteenth century, but Christian matrimony continuously remained peripheral to the worldviews of many enslaved Bermudians. These distressful circumstances did not only plague Bermuda, however, as British legislators also criticized the depraved moral circumstances that characterized the West Indies. In response, abolitionist-leaning British activists promoted the benefits of an amelioration program in the late seventeenth and early nineteenth-centuries that were designed to provide slaves more legal protection from the

⁴¹⁷ Letter of Alexander Ewing, June 14, 1791 in The Fulham Papers, General Correspondence Bermuda and Jamaica, Vols. 17 & 18, in Bermuda National Archives, microfilm reel 309.

uncontrolled exploitation of their masters. A prominent issue for many of these legislative maneuvers centralized within the legalization of slaves' marital contracts, which many believed would effectively erase the continued practice of forced spousal separations.

Assessing the Impact of Amelioration

Bermuda has remained noticeably absent in the historiography of British amelioration, partially due to its geographical location and unique system of slavery.⁴¹⁸ Due to misguided connections between slave treatments and legislation, local histories like Addison Verrill's 1902 work even claimed that Bermudian "slaves were allowed legal marriage from the first, and when man and wife belonged to different owners, they were allowed by law or custom to be together Sundays or other specified times."⁴¹⁹ While the sentiment of Verrill's statement is not entirely incorrect, any evidence of legislation that protected slave marriages was absent until 1827 when Bermuda adopted its own set of policies regarding the legal identities of slaves. Even then, it is questionable that the 1827 legislative changes held legitimate impact in curtailing the master's authority. According to Bermuda's 1827 Amelioration Act, it was designed to ameliorate the conditions of both slaves and free people of color in the colony. This measure included fifty one new regulations that detailed the introduced modifications in treating the

⁴¹⁸ Bermuda is absent from most histories of the West Indies, and regarding amelioration this is most noticeable in J.R. Ward, *British West Indian Slavery, 1750-1834: The Process of Amelioration* (Oxford: Clarendon Press, 1988). Bermudian historians have largely bypassed discussions of the broader implications of Bermuda's legislative changes during this period, see Packwood, *Chained on the Rock*; Smith, *Slavery in Bermuda*.

⁴¹⁹ Addison Emery Verrill, *The Bermuda Islands: An Account of their Scenery, Climate, Productions, Physiography, Natural History and Geology, with Sketches of their Discovery and Early History, and the Changes in their Flora and Fauna due to Man* (New Haven: Published by the Author, 1902), 152.

colony's slaves, and seven of them specifically dealt with modifications to black marital and familial rights. The law specifically stated that slaves could now enjoy marriage ceremonies performed by Anglican clergyman at no fee, their marriages were registered, and once married it was illegal to forcibly separate the spouses.⁴²⁰ While the amelioration acts could be celebrated as a significant advancement in attaining the "humane" treatment of Bermudian slaves, the acts were in reality filled with significant compromises that largely benefitted the planter class. The Amelioration Act stipulated that slaves were still unable to select their mates without evidence of their master's approval "in writing", and ensured that a legal marriage obtained through the new enactments "shall not have the effect of releasing or discharging such slave or slaves...or their issue from bondage or slavery."⁴²¹ In one example, two slaves were forced to wait until August 1, 1834, the first day of emancipation, to contract a marriage that had been denied them by their previous owners.⁴²² This master's defiance suggests that imperial actions produced few practical changes until the institution of slavery itself was declared illegal.

The new regulations hoped to provide slaves with an example in preparing for the looming emancipation campaigns that swept the British Atlantic in the 1830s. Though the legislation was written in language that was easily comprehended, confusion remained

⁴²⁰ See Sections 38, 39, and 41 respectively in the photocopied document of the Amelioration Act located in Cheryl Packwood, "A Forgotten Colonial Past: Race Relations and Slavery in Bermuda, A New Addition to Colonial History," Paper submitted to Judge A. Leon Higginbotham in the Seminar on Race, Values, and the American Legal Process in Satisfaction of the Written Work Requirement, May 8, 1987, pp. 145-146 in Bermuda National Archives.

⁴²¹ See Section 40 in Cheryl Packwood, "A Forgotten Colonial Past: Race Relations and Slavery in Bermuda, A New Addition to Colonial History," Paper submitted to Judge A. Leon Higginbotham in the Seminar on Race, Values, and the American Legal Process in Satisfaction of the Written Work Requirement, May 8, 1987, pp. 145-146 in Bermuda National Archives.

⁴²² James Smith, *A New Dawn: An Analysis of the Emancipation Experience in Bermuda* (Bermuda: The Ministry of Community and Cultural Affairs, 1991), page 11, in the Bermuda National Library.

upon the subject of slave marriage in the correspondence between Bermuda and Britain. In an 1825 report Bermuda was required to list the number of “marriages legally solemnized between slaves from the 1st January 1821 to the present period.”⁴²³ The request is complicated by the self-contradictory answer given by Bermuda’s colonial secretary Robert Kennedy. The response lists two “legal” marriages that occurred, one published by banns in 1824 and the other by license in 1825. Two marriages hardly suggests that slaves in Bermuda flocked to the churches to promote their nuptials, but Kennedy also expressed confusion in his response to the subsequent request that sought to obtain information concerning “any law by which the Marriage of Slaves are authorized and sanctioned, and their Connubial Rights recognized and secured.” Despite his previous report listing two legal marriages, Kennedy responded that “no law has ever been passed in Bermuda having any reference whatever to the object of this inquiry.”⁴²⁴ The realization that Bermuda had never adopted its own law likely prompted Bermudian legislators to formulate their amelioration act in 1827 that designated certain protections allotted to slave marital unions.

While it appears that slaves remained reluctant to fully embrace Christian ceremonies, one slave marriage recorded in 1828 by contemporary observer Suzette Lloyd noted the presence of the slaves’ kinfolk and the significance of the ritual for the black community. The presence of white attendees is not mentioned and no minister is noted as having led the ceremony. The main details revolve around the sartorial splendor of the wedded pair, and the bridegroom’s vociferous exclamation of “I Cupid, take thee

⁴²³ “A Report of the Number of Marriages Legally Solemnized Between Slaves from the 1st January 1821 to the Present Period,” Book of Miscellanies 1822-1833 in Bermuda National Archives, mfm reel 65.

⁴²⁴ “A Report of the Number of Marriages Legally Solemnized Between Slaves from the 1st January 1821 to the Present Period,” Book of Miscellanies 1822-1833 in Bermuda National Archives, mfm reel 65.

Venus as my wedded wife!”⁴²⁵ If the wedding was a predominantly black affair, it appears the slaves were attempting to model their traditions after European standards at the dawn of emancipation. The gradual death of British colonial slavery after amelioration likely led to slaves’ more wide-scale embrace of the Christian ceremony due to its increased availability and legal legitimacy.

The smaller enslaved population in Bermuda appears to have provided an easier transition from slavery to freedom on August 1, 1834. While most of the West Indian colonies embraced the Apprenticeship system, with the sole exception of Antigua, Bermudian legislators noted the “Apprenticeship System...dispensed with as respects these islands.”⁴²⁶ While the step to forego apprenticeship might at first appear a benevolent maneuver on the part of Bermudian lawmakers and masters, it was more likely motivated by the generally unprofitable nature of Bermudian slavery. Slave-owners, of course, protested this decision, arguing that an apprenticeship system would lead to a chaotic transition among former slaves who would subsequently become lawless and idle and would lead to broader social issues such as a lack of economic production, familial disarray, and black political control. The small-size of the enslaved population never made Bermuda’s economic production a significant force when compared to its sugar-producing counterparts who believed the sugar economy would collapse when competing with the slave labor of Cuba and parts of Brazil. Master benevolence is equally discounted by the fact that they initially contended against the decision to decline

⁴²⁵ Lloyd, *Sketches of Bermuda*, 216.

⁴²⁶ An Act for the Abolition of Slavery in these Islands, in Consideration of Compensation”, Bermuda Laws 1832-1838, Bermuda National Archives. Also see Cyril Packwood, “Historical Sketch,” in *A Service in Commemoration of the Emancipation of Slaves in Bermuda* (Bermuda: The Ministry of Community and Cultural Affairs, 1991), unpaginated, in Bermuda National Library; Smith, *A New Dawn* in Bermuda National Library.

the Apprenticeship program, they also sold significant numbers of slaves to the expanding slave markets of the United States prior to the general emancipation of 1834.⁴²⁷ In regards to the assessed value of slaves by the imperial standards, Bermudian slaves held the lowest average value, making Bermuda's total compensation the lowest of all the British slave colonies.⁴²⁸

The master class throughout the British Atlantic islands, however, was a much weaker entity than its increasingly powerful North American counterpart. The lack of a consolidated political unit made planters in both Bermuda and the West Indies acquiesce to imperial orders. Opponents of the Emancipation Act promoted the notion that ex-slaves would surely conduct themselves in a disorderly fashion upon their realization of their freedom. Despite the worries of opponents, however, the transition from slavery to freedom on August 1st, 1834 was a relatively peaceful affair with no acts of violence or vandalism recorded by either racial group. In regards to marital legislation, an 1838 colonial report determined that Bermuda was the only colony "to have met what we regard to be the most important part of the [marriage] question, by confirming the past marriages performed by missionaries."⁴²⁹ It seems likely that the decision to forego apprenticeship might have channeled a greater ability to sanction black marriages in the post-emancipation period, since Apprenticeship brought numerous legislative issues due to it being a state of quasi-freedom.

⁴²⁷ No numbers are yet available for exactly how many slaves were sold, but it is referenced by two Bermudian historians, see: Smith, *A New Dawn*, 10; Nellie Eilleen Musson, *Mind the Onion Seed: "Black Roots" Bermuda* (Nashville, TN: Parthenon Press, 1979), 57-59.

⁴²⁸ *The Bermuda Royal Gazette*, September 1, 1835.

⁴²⁹ Correspondence from 'miscellaneous offices' on matters relating to the West Indies, 1838, CO 318 134, The National Archives, Kew.

Conclusion

While Bermuda is often historiographically overshadowed by the economically powerful sugar islands in the Caribbean, its importance as a case study for analyzing the evolution of slavery in the Atlantic world should be placed alongside sugar islands like Jamaica and Barbados, as well as the slave society of the southern United States. While Bermuda was much smaller than these other locations in regards to its size and its exports, this analysis reveals it dealt with similar issues of slave law and religion that plagued both missionaries and slave masters in other regions. Despite the supposed “benign” nature of Bermudian slavery, it is particularly interesting to find that many slaves still rejected the missionaries’ attempts in conforming them to a matrimonial standard, causing scholars to rethink questions of slave agency and resistance. Even if the conditions of this slave institution were more favorable, at least when compared to the arduous labor associated with sugar slavery, the lack of conformity reveals that slaves retained their individual personalities as a possible challenge to an institution that rendered their body as a piece of disposable property. For comparative purposes, the uniqueness of the “halving” tradition demands further inquiry, as it remains unique in the practices of Anglophone slave societies, save a few isolated cases in the nineteenth-century US South.

Bermuda, however, was also connected to the Atlantic world in both physical and cultural terms.⁴³⁰ Not only was it connected economically to the West Indies and North America, but it also provided an atmosphere that nourished the development of Methodist

⁴³⁰ Jarvis, *The Eye of All Trade*.

missionary Edward Fraser, who became an internationally recognized symbol of slave reform and abolitionism in his travels throughout the Atlantic world. Slaves also apparently knew of the Atlantic folk ritual “jumping the broom,” a tradition that became particularly popular among slaves in the antebellum South. Scholars are also continuously investigating the origins and significance of the Gombay dance, a cultural practice that remains a staple of Bermudian society in the twenty-first century. As Africa and Europe converged on this island in ways both distinct and similar to other locations, giving Bermuda a larger presence in Atlantic world historiography will help scholars appreciate both its uniqueness and its similarity with other regions. In turn, our understanding of slaves who survived Atlantic chattel slavery is enriched through examining the choices slaves used as they formed cultures that characterized their worlds.⁴³¹

⁴³¹ This last sentence is a paraphrase of the usefulness of the Atlantic model promoted by Jack P. Greene’s essay “Beyond Power: Paradigm Subversion and Reformulation and the Re-creation of the Early Modern Atlantic World,” in *Crossing Boundaries: Comparative History of Black People in Diaspora*, Darlene Clark Hine and Jacqueline McLeod, eds. (Bloomington: Indiana University Press, 1999): 338.

CHAPTER 5

“PERFORMED AMONGST THEMSELVES”: THE INTELLECTUAL AND CULTURAL DIMENSIONS OF SLAVE MARRIAGE IN NORTH AMERICA, 1700-1820

In 1737, North Carolina physician John Brickell documented a marriage ceremony performed among two slaves, noting the couple performed the ritual “amongst themselves...the man makes the Woman a Present, such as a *Brass Ring* or some other Toy which if she accepts of, becomes his Wife; but if ever they part from each other, which frequently happens, upon any little Disgust, she returns his Present.”⁴³² In typical colonial fashion, an enslaved ceremony that likely held significant value for its participants was reduced to a brief, insincere occasion by a white observer. By collapsing enslaved Africans’ courtship, marriage, and divorce proceedings in a single sentence, Brickell’s account disclosed his belief that enslaved Africans’ cultural expressions were meaningless gestures that served little symbolic value. However, because Brickell noted enslaved marriage ceremonies were generally performed within the slave community outside the master’s supervision, his own ability to evaluate African cultural practices in the Americas is questionable. If colonial slaves typically performed their marriages privately, as Brickell suggests, one could argue Euro-American observers were unprepared to interpret these ceremonies appropriately.

⁴³² John Brickell, *The Natural History of North Carolina with and Account of the Trade, Manners, and Customs of the Christian and Indian Inhabitants. Illustrated with Copper-Plates, whereon are Curiously Engraved the Map of the Country, Several Strange Beasts, Birds, Fishes, Snakes, Insects, Trees, and Plants, &c* (Dublin: James Carson, 1737), 274. Emphasis in original.

Brickell's reference is brief due to the likelihood that he was not supposed to view it, let alone understand it. However, despite his abbreviated description he does provide one of the few accounts divulging the ceremonies that slaves in colonial America used in their courtship and marital practices. Upon closer examination, the maneuvers of the enslaved couple portray a diasporic reenactment of courtship procedures that were popular throughout most African societies tied to the Atlantic world. Was it sheer coincidence the slave presented his bride with a *brass ring*, an object that held significant social value for African communities tied to the transatlantic trade? When compared to the Atlantic African ceremonies discussed in chapter one Brickell's account has noticeable differences. However, in viewing his account as a depiction of an African ceremony creatively reimagined in the diaspora this chapter argues that what he interpreted as a frivolous exposition of marital triviality actually provides a rare window into the private lives of enslaved Africans and their descendants in colonial North America.

Viewing these types of descriptions from the vantage point of the socio-cultural traits of Atlantic African societies divulges critical information for interpreting the few enslaved rituals available for scholarly analysis. To be sure, a variety of reputable colonial historians have referenced Brickell's account for evidences of slave marriage in the colonial period, but heretofore have been unable to directly connect the specific ritual maneuvers utilized in the slave wedding to African precedents.⁴³³ Brickell's description is

⁴³³ Herbert Gutman was one of the earliest scholars to suggest this possibility in claiming that Brickell's account "described a marriage ritual that appeared to be a variant of the common West African practice of brideright", see Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage, 1977), 348. Subsequent scholars have made similar suggestions: Betty Wood, *Slavery in Colonial America, 1619-1776* (New York: Rowman and Littlefield Publishers, Inc., 2005), 102; Morgan, *Slave Counterpoint*, 531; Sylvia Frey, *Water from the Rock: Black Resistance in a Revolutionary Age* (Princeton, NJ: Princeton

valuable for analyzing the process of diasporic recreations, and simultaneously divulges the oppressive circumstances of British-American slavery that made the performance of direct matrimonial practices extremely difficult. What did Brickell mean when he described the marital instability of African slaves in North Carolina? Was it Brickell's own Eurocentric bias that connected Africans with promiscuity, or was this form of serial monogamy common under the oppressive circumstances of chattel slavery? In analyzing marital expressions and their representations in Africa and the Diaspora we can more fully investigate the resiliency of enslaved Africans who attempted to recreate and reimagine kinship communities based upon their experiences in Atlantic Africa, the Middle Passage, and enslavement in the Americas. In focusing upon objects, individuals, and communities this follows the scholarship that demonstrates the utility of biographies, micro-histories and composite biographies to understand nuances and intimacies of people's lives while tracing broader historical developments.⁴³⁴

This chapter focuses on the cultural and political dimensions of marriage during the colonial and early National periods of North America prior to the antebellum period, which most scholars place between the years 1800 to 1820.⁴³⁵ While it is difficult to

University Press, 1991), 33; Frey and Wood, *Come Shouting to Zion*, 49-50; Stephanie Grauman Wolf, *As Various As Their Land: The Everyday Lives of Eighteenth-Century Americans* (New York: Harper Collins, 1993), 27. In one exception, Marvin L. Michael Kay and Lorin Lee Cary did try to more extensively link the gift as an expression of West Africans' practices of bridal purchase, but the analysis provides little sustained attention to Atlantic African practices. See Kay and Cary, *Slavery in North Carolina, 1747-1775* (Chapel Hill: University of North Carolina Press, 1995), 159-160.

⁴³⁴ Specifically see the recent works of Young, *Rituals of Resistance*; Desch-Obi, *Fighting For Honor*; Sweet, *Domingos Álvares*; Ferreira, *Cross-Cultural Exchange*.

⁴³⁵ Exactly "when" the antebellum period begins is subject to individual interpretation. Some scholarship suggests that as early as 1789, the conclusion of the American Revolution and ratification of the Constitution, is the initial point that set the stage for the national conflict. Others place the dates between 1800 and 1860 and argue that events in the beginning of nineteenth century, such as the closing of the transatlantic trade and the advent of the domestic slave trade throughout the US South, crystallized the nation's divide over slavery. Others, however, suggest that 1820-1860 is the most appropriate time frame,

calibrate a period in which America shifted toward an antebellum period, this analysis favors the categorization of 1820-1860 as the most satisfactory way to explain the political and cultural shifts in slave matrimony in the United States. During this forty-year period southern slave owners instigated their most significant adjustments to the marriages of slaves. Primarily focusing upon the region of the southern Atlantic seaboard where slavery grew and expanded, this chapter places the earliest references to slave marriage in the colonial and Early National periods of the United States within the African Diaspora and Atlantic world by analyzing three categories that contextualize the marital preferences of the earliest generations of American slaves.

The chapter first considers how colonial churchmen and slave owners approached slaves' matrimonial actions and the degree to which religion did, or did not, play a role in altering slaves' marital preferences. Marriage was contested ground among the Anglican ministers, other Protestant sects, Roman Catholic priests, and elite planters that vied for power within the emerging plantation economy. Alongside this investigation, this section also accounts for the documented experiences of white settlers who married outside the prescribed standards of the Anglican Church, and how their actions reflected the practices of the working class throughout the British Isles and set a standard for how marriage developed in the colonial period and early years of the newly founded nation-state. In building upon the conclusions of this first section, the chapter then examines the degree

as the domestic slave trade increased dramatically by 1820 and the debates over slavery's expansion to the West were the most critical moments in dividing the nation between North and South. My own analysis favors this latter interpretation, especially when reviewing the political and intellectual dimensions of slave marriage in the Atlantic World. For an example of the first position see Adam L. Tate, *Conservatism and Southern Intellectuals, 1789-1861: Liberty, Tradition, and the Good Society* (Columbia, MO: University of Missouri Press, 2005), esp. Introduction. For the second interpretation see Pargas, *The Quarters and the Fields*, 1. For the final position see David A. Copeland, *The Antebellum Era: Primary Documents on Events from 1820-1860* (Westport, CT: Greenwood Press, 2003).

to which slaves' marital practices reflected precedents from their ancestral homelands. Explicit focus on marital discourse reveals the complexities of the colonial project, and how ritual performance helped mold the social, cultural, and racial distinctions that marked the southeastern region through the seventeenth and eighteenth centuries. The third section concludes the chapter by viewing how particular events throughout the late-eighteenth and early-nineteenth centuries led to the dramatic readjustment of how southern slave owners and proslavery apologists began to reorient their focus toward encouraging slave morality and monogamy as they drew closer to the antebellum period. Using these approaches to examine slaves' marital practices throughout the colonial and early national periods provides useful information in explaining how and why the antebellum South took a far different route to emancipation than its counterparts in the British West Indies, and how these circumstances influenced the cultural patterns of a largely American-born slave population in the antebellum period.

Missionaries, Masters, and the Contested Boundaries of Slave Marriage

In identifying the residual influences that African cultural backgrounds held upon the diaspora and their descendants throughout the Americas, we must realize that only a minute selection of enslaved people are represented in the colonial and early national periods of the United States. Countless voices remain silent in the documents, but gleaning information from African societies involved in the transatlantic slave trade provides information that allows scholars to re-contextualize enslaved practices written through European perspectives. Just as Europeans claimed Africans manifested no form of ceremony in their weddings, but described ritual maneuvers familiar to African

practitioners, Euro-Americans claiming enslaved people possessed no matrimonial ceremonies were employing the same Eurocentric perspective. Ultimately, Europeans were quite critical of African ceremonies because their rituals did not conform to Christian matrimonial expectations. Africans and their immediate descendants in the unfamiliar, oppressive slave systems of North America reimagined their cultural enactments while continuing to employ ritual maneuvers that served critical functions in their ancestral homelands. Analyzing these ceremonial precedents throughout Atlantic Africa helps alleviate the misleading commentaries of Euro-American observers who frequently attempted to demoralize these rich cultural expressions through their own ethnocentric commentaries.

The population of colonial North America comprised a variegated conglomerate of ethnic and racial groups, including elite planters, backwoods white settlers, various Amerindian tribes, and enslaved people of African descent. Each group faced various degrees of pressure from British ecclesiastical officials who became increasingly interested in regulating marriage rituals and practices throughout the Americas. The large geographical frontiers that were filled with white settlers and Native Americans enticed Anglican ministers, and the growing slave populations imported to work the agriculturally fertile eastern seaboard provided a host of potential converts. Spurred by the campaigns of the seventeenth and eighteenth centuries that sought to solidify marital normalcy throughout Britain, itinerant ministers dotted colonial North America seeking to amend the degraded moral practices of colonial inhabitants. In the mid-eighteenth century, for instance, a leading minister in Georgia recommended a precedent used among Celtic populations in Britain to introduce slaves to the gospel. To best reach the

slaves, he argued, usage of “itinerant Chatechists wou’d better effect it, than any other Method, I have been acquainted with, and, if I am rightly, informed has been successfully practised in Wales.”⁴³⁶ Geographic and cultural obstacles, however, made these missions different than their predecessors in the Celtic regions and significantly more challenging. The difficulty in regulating colonial practices was amplified by churchmen’s inability to demand conformity among disinterested colonial populations. The emerging planter elite proved particularly troublesome, since many viewed missionaries’ attempts at slave Christianization as a threat to their control over enslaved laborers’ activities.

For missionaries these practices were even more horrifying when conducted by white colonists. Numerous ministers believed that the degraded circumstances of many colonial Americans ultimately set negative precedents for “heathen” populations of enslaved Africans. Among every population marital pursuits and practices in the colonial period proved difficult to control. On the one hand, rural white colonists largely maintained marital traditions similar to their forebears in Britain in which they married without ecclesiastical sanction. On the other hand, missionaries confronted a growing enslaved population largely disinterested in Christian matrimonial practices and masters who proved unwilling to support efforts at slave Christianization. The main conundrum for missionaries in the colonial period was accomplishing their spiritual mission among populations that did not recognize their ability to control their daily lives outside of the chapel.

⁴³⁶ Lucian Lamar Knight, ed., *The Colonial Records of the State of Georgia Compiled Under the Authority of the Legislature*, volume 26, *Original Papers, Trustees, President and Assistants, and Others, 1750-1752* (Atlanta, GA: Chas. P. Byrd, 1916), 258.

As in Britain, marriage ideally served as a useful tool for societal conformity in the colonies, since it straddled both legal and religious spheres in British society. Engaging in marital practices without the approval of legal or ecclesiastical authorities frightened the governing bodies, since marriages outside the Christian standard set dangerous precedents that potentially led to further insubordination. Next to baptism and education, marriage was at the forefront of colonial religious discourse. Churchmen expected that colonists would marry in accordance to the Christian standard, as this theoretically ensured that instances of promiscuity, polygamy, and cohabitation outside of marriage were curtailed. Controlling individuals' methods of marriage confirmed to the church that its authority was intact. As noted earlier, the church held stringent rules defining polygamy during the seventeenth and eighteenth centuries. During this period divorces could be granted if spousal abuse was proven, but divorce did not mean one could marry again. "Til death do you part" was a literal statement, and if either of the two former spouses remarried while the other was still alive they could be prosecuted on charges of bigamy.⁴³⁷ Legislation, however, does not always define the actions or reactions of the population, and sources suggest that many people remarried in clandestine ceremonies, making the dynamics of the colonial situation even more interesting when framed in this context.

Missionaries leveled their criticisms toward populations they considered unsavory, which included common white settlers in frontier regions, Amerindians, and Africans. White settlers located in peripheral zones were particularly frustrating for churchmen, since they were supposedly aware of the higher standards by which

⁴³⁷ Capp, "Bigamous Marriage," 537-556.

Christians were supposed to live. One of the most prolific writers of the colonial and Revolutionary period, Anglican itinerant Charles Woodmason, provides some of the most inflammatory criticism toward this population. Woodmason's writings provide important references to the lifestyles of colonial southerners. Woodmason was highly critical of the moral aptitude of the white colonists, particularly their disavowal of the marriage ritual. For Woodmason, the problem was twofold: "For thro' want of Ministers to marry and thro' the licentiousness of the People, many hundreds live in Concubinage—swopping their Wives as Cattel, and living in a State of Nature, more irregularly and unchastely than the Indians."⁴³⁸ Woodmason recognized that the lack of ministers available to backwoods colonists presented them with difficulty in receiving a marriage ceremony, but he also believed that the colonists were naturally promiscuous, committing sins on an even larger scale than the non-Christian Amerindians.

Beyond promiscuity, missionaries frequently battled magistrates and fraudulent preachers who saw marriage as lucrative business. In 1701 the Anglican missions in North America established rules that dictated who could marry one another, and who could perform marriages. Missionaries reported instances of incest and desertion that existed within these rural settings, as well as fraudulent ministers who used the ministry as a front to accumulate money.⁴³⁹ Woodmason complained that "if there is one shilling

⁴³⁸ Charles Woodmason and Richard J. Hooker, ed., *The Carolina Backcountry on the Eve of Revolution: The Journal and Other Writings of Charles Woodmason, Anglican Itinerant* (Chapel Hill: University of North Carolina Press, 1953), 15.

⁴³⁹ Much of this revolved around a "Table of Marriages" that Anglican ministers used to control marriage in the colonies. For various references see "An Act for the Service of Almighty God, and Establishment of Religion in this Province, According to the Church of England," in *Historical Collections Relating to the American Colonial Church*, volume 4, *Maryland*, ed. William Stevens Perry (1870; republished New York: AMS Press, 1969), 44-46; "Instructions to Governor, June 17, 1754," in *The Colonial Records of North Carolina*, volume 11, *The Church of England in North Carolina: Documents, 1742-1763*, eds. Robert J. Cain and Jan-Michael Poff (Raleigh: Office of Archives and History, 2007), 144; "An Act for the Establishment of Religious Worship in this Province, According to the Church of England, and for the

to be got from a wedding or a Funeral, these impudent fellows will endeavor to pocket it...Such is the general state of Religion in these Parts...”⁴⁴⁰ Ministers’ frustrations were a combination of the laity’s distrust for religious authorities, ignorance of religious requirements, and the secrecy provided by the rural settlements of the colonies. Anglican missionary Francis Le Jau in 1709 expressed “great surprise that a great Number of Men and Women here never have bin baptised” and was forced to reject their petitions of marriage.⁴⁴¹ Indeed, the Atlantic World provided colonists with anonymity and loosely enforced bureaucracies, allowing them to live outside the radar of traveling ministers for extended periods.

Missionaries and other commentators took notice of the difficult circumstances of legitimizing marriage among colonial settlers throughout the southern Atlantic seaboard. A Virginia law passed in 1619, for instance, stated that “no maide or woman servant, either now resident in the Colonie or hereafter to come, shall contract herself in marriage without either the consente of her parents, or of her Mr or Mrs, or of the magistrate and minister of the place both together.”⁴⁴² Colonial demography, of course, was always an issue. The predominantly male population of seventeenth-century Virginia necessitated that women were shipped into the colony and purchased by the young settlers in order to

Erecting of Churches for the Publick Worship of God, and also for the Maintenance of Ministers and the Building Convenient Houses for them,” in *The Statutes at Large of South Carolina*, volume 2, *Containing the Acts from 1682 to 1716*, ed. Thomas Cooper (Columbia, SC: A.S. Johnston, 1837), 236-246.

⁴⁴⁰ Woodmason, *The Carolina Backcountry*, 43.

⁴⁴¹ “Le Jau to the Secretary, August 5, 1709” in *The Carolina Chronicle of Dr. Francis Le Jau 1706-1717*, ed. Frank J. Klingberg (Berkeley: University of California Press, 1956), 56-57.

⁴⁴² Lyon Gardiner Tyler, *Narratives of Early Virginia, 1606-1625* (New York: Charles Scribner’s Sons, 1907), 273.

prevent them from copulating with the natives and/or servants.⁴⁴³ Without a securely positioned imperial marriage law colonial legislators in each colony were empowered with an opportunity to dictate appropriate forms of matrimony. Much to the churchmen's chagrin the process was increasingly secularized in areas like North Carolina. In 1728, William Byrd lamented that a Virginia chaplain who journeyed on a mission to North Carolina returned with frustrating results: "tho' our Chaplain Christen'd above an Hundred, he did not marry so much as one Couple dureing the whole Expedition. But marriage is reckon'd a Lay contract in Carolina...and a Country Justice can tie the fatal Knot there, as fast as any Archbishop."⁴⁴⁴ Earlier in the narrative, however, Byrd blamed the lack of interest in marriage upon the colonists of North Carolina, claiming that it was surprising that none desired formal marriage, despite the availability of a minister.

The connection of the Atlantic seaboard to the British West Indies also provided another difficulty for itinerant preachers. The economic and cultural connections between the American mainland and the West Indian islands provided some colonists even more opportunity to engage in actions outside church surveillance. Much to the chagrin of certain missionaries, South Carolina was a particularly attractive location for Caribbean immigrants to either diversify their crop production or to cultivate new terrain.⁴⁴⁵ Thus, it was not unfamiliar for Barbadian planters or other Caribbean laborers to relocate to South

⁴⁴³ William Smith, *The History of the Discovery and Settlement of Virginia: Being an Essay Towards a General History of this Colony* (Williamsburg, VA: William Parks, 1747), 115. Philip Alexander Bruce, *Social life of Virginia in the Seventeenth Century: An inquiry into the Origin of the higher Planting Class, Together with an Account of the Habits, Customs, and Diversions of the People* (Richmond, VA: Whittet & Shepperson, 1907), 229. Also see Robert Beverley, *The History and Present State of Virginia* (orig. 1705; republished in Charlottesville, VA: The University Press of Virginia, 1968), 286-287.

⁴⁴⁴ William Byrd, John Spencer Bassett, ed., *The Writings of Colonel William Byrd of Westover Virginia, Esqr.* (1901; New York: Burt Franklin, 1970), 63.

⁴⁴⁵ Peter Wood first introduced this influential idea in *Black Majority: Negroes in Colonial South Carolina From 1670 Through the Stono Rebellion* (New York: W.W. Norton & Company, 1974), 13-34.

Carolina. In 1708, Commissary Gideon Johnston wrote that these immigrants were “the vilest race of men upon the Earth,” having neither “Honesty nor Religion.”⁴⁴⁶ The opportunities for movement between the islands and mainland colonies created some alarm for itinerant ministers seeking to uphold Anglican moral ideals. Anglican itinerant Francis Le Jau remarked of “a young man who has a wife living in Barbados, and yet was married to a young woman within 2 miles and half of my house.”⁴⁴⁷ Le Jau noted that legitimization of the man’s second marriage was tied up in ecclesiastical court for over three years, and there was general disagreement upon how the “Irregular Licenses” were to be viewed, and he requested his “Superiors to Direct us how to proceed if the like should come again before any of us.”⁴⁴⁸ In this instance, Le Jau was both confused and undermined by the anonymity of this Atlantic traveler and feared that such cases would duplicate in colonial America if they were not curtailed. Common whites in the frontier south possessed little official authority, but their abilities to maneuver outside ecclesiastical surveillance posed significant problems for missionaries seeking to establish church hegemony in the colonies.

Despite the frustrating outcomes in journeys to irreligious white communities, the planter elite were the main cause for concern in the eyes of most itinerant churchmen. The need to establish control within the colonies immediately placed planters at odds with Anglican missionaries.⁴⁴⁹ While colonists attempted to emulate Englishness abroad,

⁴⁴⁶ Frank J. Klingberg, ed., *Carolina Chronicle: The Papers of Commissary Gideon Johnston, 1707-1716* (Berkeley: University of California Press, 1946), 22.

⁴⁴⁷ Klingberg, ed., *The Carolina Chronicle of Dr. Francis Le Jau*, 151.

⁴⁴⁸ Klingberg, ed. *The Carolina Chronicle of Dr. Francis Le Jau*, 151.

⁴⁴⁹ For some general references concerning the establishment of the planter class see: Robert Olwell, *Masters, Slaves, and Subjects: The Culture of Power in the South Carolina Low Country, 1740-1790*

marital celebrations provide an important divergence from traditional English weddings. Historian Nicholas Beasley argues that elite colonial planters chose to celebrate their nuptials privately in their homes instead of a church building, severely curtailing the influence of clergymen.⁴⁵⁰ At one point clergymen in Maryland were even restrained from marrying “at private houses for several inconveniences, but especially because some Clergymen have been complained of for being drunk at such times and places.”⁴⁵¹ Outside ministerial mishaps, the differing climate of the coastal territories prevented the colonists from maintaining a schedule of religious celebration. The disruption of “ritual time” for colonists seeking to maintain their Anglo identities drifted them further away from British cultural norms, and led them to an incidental rupture from the mother country.⁴⁵² An important element of the colonial experience to consider is that the population demographics of the southern colonies were vastly different than their homelands. The populations comprised predominantly young, single men seeking fortunes that were unavailable to them in Britain.⁴⁵³ Additionally, the most striking distinction came in the form of unfamiliar racial and ethnic groups who collectively outnumbered the colonists, comprising American Indians and African slaves. In an

(Ithaca: Cornell University Press, 1998); Betty Wood, *Slavery in Colonial Georgia 1730-1775* (Athens: The University of Georgia Press, 1984), 88-130.

⁴⁵⁰ Nicholas Beasley, *Christian Ritual and the Creation of British Slave Societies 1670-1780* (Athens: University of Georgia Press, 2009), 54-83.

⁴⁵¹ “Rev. Christopher Wilkinson to the Bishop of London, May 26, 1718,” in *Historical Collections*, vol. 4, *Maryland*, 109.

⁴⁵² Beasley, *Christian Ritual*, 21-53.

⁴⁵³ Kathleen M. Brown, *Good Wives, Nasty Wenches, & Anxious Patriarchs: Gender, Race, and power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996), 89. The sex ratios were so skewed that some early travelers and historians also commented on the need to send wives for purchase to the Virginia colony: Smith, *The History of the First Discovery*, 197; Robert Beverley, *The History and present State of Virginia* ed., Louis B. Wright (1947; Charlottesville, Va.: The University Press of Virginia, 1968), 286-287.

attempt to alleviate the tensions with American Indian nations, colonists used marriage as a method of alliance and peace-keeping.⁴⁵⁴ While this tactic was not always effective in continuing peaceful relations, it did serve to salvage European interests in trade and colonial expansion until European colonists (and later American nationals) could effectively acclimatize to the unfamiliar environments and territories that the Amerindians had adjusted to centuries prior. Between these two groups lay the group that was arguably in the most precarious position: the African slave.

In some instances the slave held certain similarities with both groups, but these similarities simultaneously served as points that made their experiences drastically different. Like the Europeans, Africans were both strangers in the colonial territories and comprised a predominantly male population.⁴⁵⁵ Similar to their Amerindian counterparts, Africans were non-European populations that lacked Eurocentric notions of civilization, particularly the prevalent belief among British populations that the Anglican Church constituted the only appropriate expression of Christianity. The main distinction that slaves held from both of these populations was their status as chattel slaves, and this difference constituted the African's uniqueness in colonial society. African slaves were an anomaly since their marriages were frequently irregular due to the legal proscriptions leveled against them. From the initial point of contact between American Indian populations and British explorers, the Amerindian populations were free people. Even if

⁴⁵⁴ An early traveler through Virginia commented on this aspect of American Indian societies: John Lederer, *The Discoveries of John Lederer With Unpublished Letters By and about Lederer to Governor John Winthrop, Jr. and an Essay on the Indians of the Lederer's Discoveries* by Douglas L. Rights and William P. Cumming ed., William P. Cumming (Charlottesville, VA.: University of Virginia Press, 1958), 23; see also Bassett, ed., *The Writings of Colonel William Byrd*, 8-9.

⁴⁵⁵ Alan Kulikoff, *Tobacco and Slaves: The Development of Southern Cultures in the Chesapeake, 1680-1800* (Chapel Hill: University of North Carolina Press, 1986), 335, chap. 1, chap. 8.

they lacked European sensibilities of culture, colonists interacted with indigenous groups on compromised terms to form what historian Richard White has called a “middle ground.”⁴⁵⁶ The initial point of contact between a white southerner and the imported African, however, was immediately within the free-slave relationship, and thus the introduction of ritualization among the enslaved population functioned differently. While there are elements of overlap between all three groups through miscegenation and intermarriage, the experience of enslaved Africans is unique to themselves and the lack of attention to the importance of marriage performance and ritualization in colonial slave societies needs adjustment.

White colonials were also likely aware of the intellectual currents throughout the Atlantic world that dealt with African sexuality. Thomas Jefferson specifically targeted black men in his suppositions that they appeared “ardent after their female; but love seems with them to be more an eager desire, than a tender delicate mixture of sentiment and sensation.”⁴⁵⁷ For Jefferson, the overly sexualized and passionate Africans certainly demonstrated a genuine concern for acquiring women, but they “lacked the ability to love the way white people did.”⁴⁵⁸ Jefferson was also privy to the rather bizarre discussions that sexually connected Africans with orangutans. Following the hypothesis of Jamaican

⁴⁵⁶ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region 1650-1815* (1991; Cambridge: Cambridge University Press, 2011), xxvi. For further exploration of the “middle ground” concept see: Clyde A. Milner II, Walter Nugent, Elliott West, Karen R. Merrill, Philip J. Deloria, and Richard White, “A Historian who has Changed our Thinking: A Roundtable on the Work of Richard White,” *Western Historical Quarterly* 33 (2002): 137-157; Richard White, “Creative Misunderstandings and New Understandings,” *The William and Mary Quarterly* 63 (2006): 9-14; Philip J. Deloria, “What is the Middle Ground Anyway?” *The William and Mary Quarterly* 63 (2006): 15-22; Catherine Desbarats, “Following ‘The Middle Ground,’” *The William and Mary Quarterly* 63 (2006): 81-96.

⁴⁵⁷ Thomas Jefferson, *Notes on the State of Virginia* (London: John Stockdale, 1807), 231.

⁴⁵⁸ Paul Finkelman, *Slavery and the Founders: Race and Liberty in the Age of Jefferson* (Armonk, NY: M.E. Sharpe, 2001), 191.

planter Edward Long, Jefferson surmised that Africans desired white mates in the same manner as the orangutan demonstrated a preference for “black women over those of his own species.”⁴⁵⁹ This theory was one of the more bizarre intellectual currents produced from the Atlantic slave trade. Some writers even believed that Orangutans could be trained to perform tasks in similar ways as Africans, which was a notion that further stabilized the position of European superiority over the animalized slave of African descent.⁴⁶⁰ The theory of interspecies copulation between Africans and primates began with slave traders along the African coast who claimed to witness these interactions, and such notions became imbedded in the development of scientific racism in the eighteenth century.⁴⁶¹ Images depicting orangutans carrying off African women were also distributed throughout the eighteenth century and accepted as legitimate. While it is tempting to dismiss Jefferson’s statements as those of an elite planter who was otherwise detached from most colonial Americans, his acceptance of these ideas reveals the gullibility that many colonial Americans likely possessed when confronted with stereotypes of African sexual practices, no matter how bizarre they appeared. In essence, most white colonists had already determined the African’s position in society was based

⁴⁵⁹ Jefferson, *Notes on the State of Virginia*, 230.

⁴⁶⁰ In an undated publication entitled *Messalina’s Questions*, a fictitious discussion is portrayed between two individuals discussing the state of slavery in the United States in the early nineteenth century, and on one page they begin suggesting that Orangutans could be trained to bring about the abolition of black slavery, or at least be used to keep guard to prevent slaves from stealing at night, see: John Livingston Hopkins, *Messalina’s Questions; or, A Vindication of Slavery* (Liverpool: Nevetts, n.d.), 79-80. The publication is non-circulating and was accessed in the Georgia Department of Archives and History (hereafter GDAH).

⁴⁶¹ Accounts varied as to these relations occurred. Most of the time the primates were sexually aggressive and committed what most travelers considered a rape of the African women. Romer, *A Reliable Account*, 239; Smith *A New Voyage to Guinea*, 52; Thomas Phillips, “A Journal of a Voyage from England to Africa, and So Forward to Barbadoes in the Years 1693 and 1694,” in *A Collection of Voyages and Travels of Authentic Writers*, vol. 6, ed. John Churchill (London, John Osbourne, 1745), 211; John Atkins, *A Voyage to Guinea, Brasil, and the West-Indies* (London: Cesar Ward and Richard Chandler, 1735), 108.

upon the popular notions of their intellectual inferiority and uninhibited sexuality. Such views would spur the civilizing missions of eighteenth century missionaries, though they found that encouraging slaves to embrace a Christianized matrimonial conformity was deterred from multiple directions.

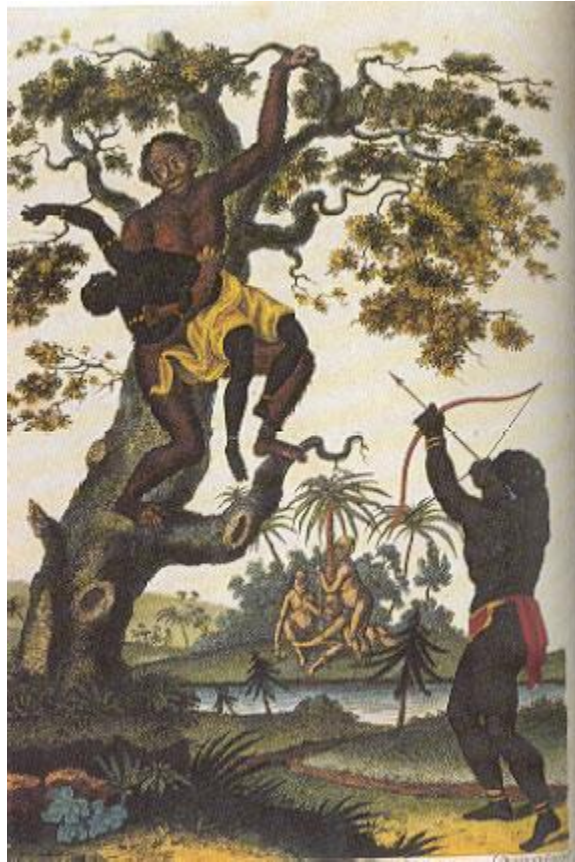


FIGURE 5.1 "The Orang-Outang carrying off a Negro Girl [1795]" taken from Jan Nederveen Pieterse, *White on Black: Images of Africa and Blacks in Western Popular Culture*, originally published in Amsterdam: Koninklijk Instituut voor de Tropen, 1990, page 38.

Missionaries attempted to introduce the Christian notion of marriage among the enslaved populations through the method of Catechism. However, it is difficult to know what method of catechism missionaries actually employed among the slaves. The first book of catechisms specifically designed for enslaved people was not published until

1826 and colonial missionaries were rather vague in what they meant by “catechize.”⁴⁶² Francis Le Jau simply wrote of a sickness that “interrupted my duty of Catechising the Poor Slaves.”⁴⁶³ In this entry it is difficult to know how much he emphasized the importance of Christian ritual, or if the lessons were simply biblical stories that reinforced the Christian ethos. In one case, Commissary and missionary Gideon Johnston requested a booklet of “plain Instructions for the Young and ignorant comprised in a short and easy Exposition of the Church Catechism,” in his correspondence to the Church of England in 1710.⁴⁶⁴ The “ignorant,” in this case, could mean enslaved people who were sometimes educated at mission schools with white children and Indians.⁴⁶⁵ The process could have been rudimentary as revealed in St. Paul’s Parish of Hanover County, Virginia: “Negroes (when their masters desire it), are baptized, when they can say the Church Catechism.”⁴⁶⁶ Despite their best efforts, however, missionaries were constantly reminded that master’s held the final word in slave conversion. Francis Le Jau wrote of his difficult dealings with the planter class blocking his attempts to catechize willing slaves: “Several sensible and sober Slaves have asked me also to be baptised and marryed according to the form of our holy Church, I cou'd not comply with their desire without

⁴⁶² Tammy K. Byron, “*A Catechism for their Special Use*”: *Slave Catechisms in the Antebellum South* (Ph. D. diss: University of Arkansas, 2008).

⁴⁶³ Klingberg, *Le Jau*, 81.

⁴⁶⁴ Gideon Johnston, July 5th 1710 in *Letters From The Clergy Of The Anglican Church In South Carolina c. 1696-1775* ed. George W. Williams, available from Carolina Low-country and Atlantic World Digital Library. Hereafter SPG-CLAW.

⁴⁶⁵ 1712, Jul. 24: Benjamin Dennis to Chamberlaine, SPG-CLAW.

⁴⁶⁶ “Response of Zach. Brooke, St Paul’s Parish, Hanover County, Virginia,” in *Historical Collections Relating to the American Colonial Church*, volume 1, *Virginia*, ed., William Stevens Perry (1870; republished in New York: AMS Press, 1969), 263.

the Consent of their Masters.”⁴⁶⁷ Since master consent remained the primary roadblock to missionary’s dreams of a Christian society, missionaries developed a rhetoric that stressed obedience to both masters and Christian principles.

The implementation of the Christian marriage ritual within the enslaved community served to benefit the missionary’s goals of conforming slaves to standards of religious expectations. Thomas Bacon’s sermons to enslaved communities in Maryland illustrated this tendency well when he stated “I rejoice indeed, to see you growing more regular, and honestly joining in marriage.”⁴⁶⁸ The use of the word “regular” denoted the stark contrast between what slaves began doing, as opposed to the “irregular unions” that many missionaries claimed occurred rampantly around England and the frontier societies of the colonies.⁴⁶⁹ The notion of regularity within these slaves’ marriages suggests that they married under sanction of Church norms. Bacon continued his sermon advocating the publication of black slaves’ banns in Church services “in the same manner, with White People.”⁴⁷⁰ Bacon’s emphasis on the publication of banns is a daring move considering that early colonial legislation stated that the banns of slaves and mixed race peoples did not require publication.⁴⁷¹ To some it may have appeared that Bacon was

⁴⁶⁷ Francis Le Jau Correspondence, Goose Creek, March 22, 1708/9. SPG-CLAW.

⁴⁶⁸ Thomas Bacon, *Two Sermons Preached to a Congregation of Black Slaves at the Parish Church of S.P. in the Province of Maryland*. London, 1749, p. 64.

⁴⁶⁹ For a list of early complaints about these occurrences in colonial America see: Frederick Dalcho, *An Historical Account of the Protestant Episcopal Church in South-Carolina, From the First Settlement of the Province, to the War of the Revolution...* (Charleston: E. Thayer, 1820), 163; Hooker, ed., *The Carolina Backcountry*, 15, 41, 224-225.

⁴⁷⁰ Bacon, *Two Sermons*, p. 64.

⁴⁷¹ In a 1739 Church act in South Carolina “all Births, Christenings, Marriages and Burials (Negroes, Mollato’s and Indian Slaves excepted) ...are hereby enjoined and required to give notice to the register of such parish within two months, see: *Laws of South Carolina* (1739), 139; America’s Historical Imprints <http://infoweb.newsbank.com>.

elevating the slaves to the same level as whites, which was one the master class' greatest fears. While Bacon appears to be subverting the establishment of the plantation elite by placing slave's Christian marriages on a similar level with whites, he is particularly careful in discussing how marriage functions within the enslaved community. Earlier in the sermon Bacon subliminally emphasized the tenuous nature of the slave marriage covenant: "Your common station, as *slaves*, your complexion, and your marriages one among another, in different families, make you nearer to each other than all the rest of the world, except your owners."⁴⁷² Like Le Jau, Bacon acquiesced to planter sensibilities, and reminded the enslaved community that their relationship with the planter excelled even their relationship with one another. In reference to this developing missionary-planter cooperation, Peter Wood argues that missionaries "were inadvertently helping to tighten the hold of the white master over the black slave."⁴⁷³ In this instance, Christianity was promoting obedience rather than (physical) liberation. Despite the enslaved couple's employment of the Christian marriage ritual, the planter was ultimately the focal point of slave relationships. This form of ritualization served to reemphasize the notion that slaves were unable to contract unions that prevented master interference, and that masters held both moral and legal sanction to control the relationships as they saw fit.

A master's authority over the African slave was established early in the American colony through legislative precedents associated with indentured servitude. In 1619 a law passed by the Virginia Assembly stipulated that "no maide or woman servant, either now resident in the Colonie or hereafter to come, shall contract herself in marriage without

⁴⁷² Bacon, *Two Sermons*, 46-47.

⁴⁷³ Wood, *Black Majority*, 141.

either the consente of her parents, or of her Mr or Mrs, or of the magistrate and minister of the place both together.”⁴⁷⁴ This law was developed through gendered overtones that equated servitude with femininity, a notion that helped guarantee that in the absence of biological parents the master or mistress was given legal rights to enforce marital decisions upon the laborer. These legislative actions were born through a number of fears, including the notion that racial miscegenation became relatively common between indentured white women and black servants in the colonial period. While a few laws were passed quite early in colonial America, southern whites took a definitive stance against miscegenation by the late-eighteenth century. Historian Peter Bardaglio argues that miscegenation laws were designed to limit the mobility of black men and women and protect the purity of white womanhood, “a goal that reflected the degree to which the structure of power in the South rested on both gender and racial classifications.”⁴⁷⁵ Virginia planter Robert Carter noted instances of “mulatto children” born through the relationships of indentured British women and African men in the early eighteenth century, which caused difficulty for interpreting the legal position of their descendants as slaves or freedmen in Revolutionary America.⁴⁷⁶ Controlling the marital customs among subservient populations established critical precedents in maintaining the master’s hegemony as slavery expanded throughout the southeastern Atlantic seaboard, in turn

⁴⁷⁴ “Proceedings of the Virginia Assembly, 1619,” in *Narratives of Early Virginia*, 273.

⁴⁷⁵ Peter W. Bardaglio, “‘Shameful Matches’: The Regulation of Interracial Sex and Marriage in the South Before 1900,” in *Sex, Love, Race: Crossing Boundaries in North American History*, ed. Martha Hodes (New York: New York University Press, 1999), 113. For other discussions of early instances of miscegenation in American history see Peter Wallenstein, *Tell the Court I Love my Wife: Race, Marriage, and Law—An American History* (New York: Palgrave Macmillan, 2002), 13-38.

⁴⁷⁶ “January 18th, 1775”, Box 14, Robert Carter Papers, Rubenstein Library.

creating friction between churchmen and slave owners who viewed the goals of the slave institution very differently.

As Anglican itinerants pursued catechizing enslaved populations they attempted to emphasize ritual conformity within the Christian tradition and used marriage as one of their primary vantage points. Missionaries were cautious, however, in how they introduced Christian ritual into the enslaved population. Ministers were typically forced to cater to the master's desires to protect their investments, as many slave owners saw the missionaries' evangelization as a potential threat to the stability of their plantation labor force. In explaining this process, historian Milton Cantor argued "colonial religionists...sought to impress upon masters their Christian duty, the opportunity of the slaves' salvation and the owners need to care for the souls as well as the bodies of their property."⁴⁷⁷ Masters hesitated to allow Christian rituals to permeate among their slaves, as they held an idea that slaves believed conversion led to freedom. At least in the earliest stages of establishing the institution of slavery, elite planters were largely successful in blocking missionaries' efforts to baptize slaves into the Christian fold. As baptism was a prerequisite for other Christian rituals such as marriage, such circumstances frustrated missionaries.

In 1710, Le Jau wrote to his superiors that he encountered "some difficulties about our joyning unbaptised persons in marriage... I caused the baptised Negroes to make that they don't pretend to any freedome from their Masters Service, and will keep to

⁴⁷⁷ Milton Cantor, "The Image of the Negro in Colonial Literature," *The New England Quarterly* 36 (1963): 453.

their Wives and about promoting reading among all Slaves.⁴⁷⁸ Le Jau realized that without baptism slaves could not be married according to the Christian ritual, but masters hesitated to have their slaves baptized due to their belief that baptized slaves are prone to disobedience and running away. SPG missionaries in North Carolina often complained of the same issue.⁴⁷⁹ To satisfy the masters' concerns, missionaries adjusted their messages to remind slaves that Christianity did not necessitate freedom from physical bondage, and that service to their master and obedience to the Christian moral code were their most important functions in the colony. Prior to their baptisms missionaries forced slaves to swear that they did not entertain "any design to free yourself from the duty and obedience you owe to your master while you live."⁴⁸⁰ Doctrinal conformity for non-Christian populations was locked between three competing groups, namely planters, missionaries, and enslaved people of African descent. Straddling the line between legal and religious sanction, marriage was contested ground in the colonial and early republican periods, and focus on the cultural development of enslaved marriage reveals one method in which planters captured power in the US South, but also how the strength of the marital bond allowed slave's small avenues of resistance within the slave system.

⁴⁷⁸ Frank J. Klingberg, *An Appraisal of the Negro in Colonial South Carolina: A Study in Americanization* (Washington, D.C.: Associated Publishers, 1941), 71-75; see also 1707 Apr. 21: William Dun, Charles Town, to Secretary, *Letters From The Clergy Of The Anglican Church In South Carolina c. 1696-1775* ed. George W. Williams, available from Carolina Low-country and Atlantic World Digital Library. Hereafter SPG-CLAW.

⁴⁷⁹ "Rev. James Adams to Secretary, 1709, October 4" and "Rev. Benjamin Dennis to Secretary, 1711, September 3" in *The Church of England in North Carolina*, vol. 10, pages 96, 128.

⁴⁸⁰ Quoted in Klingberg, ed., *An Appraisal of the Negro*, 13.

American Catholicism and Slave Marriage

The papers of the Jesuit slaveholders in Maryland reveal similar circumstances, though the precepts of Catholicism made the approach to slave matrimony slightly different. The Catholic religion's approach to slave evangelization contrasted significantly with its Anglican counterpart in that the Roman traditions that permeated throughout centuries of Church history had established a standard with which to approach the public and private lives of slaves. Harkening back to medieval theologian Thomas Aquinas Catholic theology allotted significant agency to baptized slaves who sought a church-sanctioned marriage by suggesting that converted slaves were able to contract a marriage despite the master's disapproval. Aquinas' ideas set precedents for Catholic nations who sought wisdom in dealing with the possible inconsistencies between physical bondage and the liberating salvation-based theology of Christianity.⁴⁸¹ Slave societies in the Americas that followed the Roman traditions typically structured their societies based upon these precepts, though they adjusted certain aspects of the slave code to allot more power to the master. In the *Code Noir*, a legislative code developed by King Louis XV of France in 1724, stated that masters could prevent certain unions from occurring, but they could not force slaves to marry against their will and were obligated to respect the bonds of slaves who married within the church.⁴⁸² Additionally, the Spanish colonies that followed *Las Siete Partidas*, a legal document that originated from thirteenth-century Castile that was premised upon Roman Law, recognized that slavery was an unnatural

⁴⁸¹ For Thomas Aquinas' own words on the subject of slavery and marriage in his 13th century tract *Summa Theologica* see Saint Thomas Aquinas, *The "Summa Theologica" of St. Thomas Aquinas, Part 3, Issue 5* (New York: Benziger Brothers, 1922), 172-182.

⁴⁸² "From the *Code Noir* of King Louis XV of France, 1724," in *American Catholics and Slavery, 1789-1866*, ed. Kenneth J. Zanca (New York: University Press of America, 1994), 24.

condition and sought to protect the sacred covenant of marriage for slaves. Historian Robert Cottrol argues *Las Siete Partidas* protected slave marriages in that slaves could not be forcibly separated from one another and baptized slaves were to be legally married by the church. While slaves were required to gain the consent of their masters prior to the union, “a recalcitrant master could be forced to sell his slaves to someone more amenable to the marriage.”⁴⁸³

The degree to which masters’ conceded to these legislative demands has instigated immense historiographical debate. Gilbert Din’s study of slavery in Spanish-controlled Louisiana in the late eighteenth century argues that masters were largely to blame for the lack of Catholic marriages among slaves.⁴⁸⁴ While the Spanish colonists observed the *Code Noir* of the former French colony for a brief moment, the Spanish Crown eventually issued the *Real Cedula de su Majestad sobre la educacion, trato y ocupaciones de los esclavos* (*His Majesty’s Royal Decree on the Education, Treatment, and Work of the Slaves*) in 1789, which required masters in the Louisiana territory to permit slaves to marry. While the measure was intended to grow the spiritual health of the slave population, historian Gwendolyn Midlo Hall argues that the slave system of Spanish Louisiana was a far more capitalist-minded system, and despite the laws “the protection of the slave family evaporated within a few years after Spain took control of Louisiana.”⁴⁸⁵ Such issues could be a matter of timing and economy. Louisiana was

⁴⁸³ Robert J. Cottrol, *The Long, Lingering Shadow: Slavery, Race, and Law in the American Hemisphere* (Athens, GA: University of Georgia Press, 2013), 30.

⁴⁸⁴ Gilbert C. Din, *Spaniards, Planters, and Slaves: The Spanish Regulation of Slavery in Louisiana, 1763-1803* (College Station, TX: Texas A&M Press, 1999), 54-58, 68-69, 125-129, 232.

⁴⁸⁵ Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University, 1992), 304. Also see Hans W. Baade, “The

strategically placed for trading slave-produced goods like sugar and tobacco, incentivizing economic production over the civilizing mission. In other territories, however, slave laws held some legitimacy in protecting slaves' domestic spheres. Historian Jane Landers argues that in the borderlands territory of Spanish Florida some slaves successfully utilized the law to contend against spousal separation.⁴⁸⁶ Thus, despite the blurred lines between practice and legislation, it is evident that Spanish and French traditions at least attempted to outline the marital rights of the enslaved population, while the Anglo-American slave laws altogether disregarded any reference to such measures.

In many respects the Jesuits in North America were wedged between a Catholic tradition that sought to employ slavery as a method for civilizing slaves through Christian indoctrination and a British inspired legislative approach that sought to protect the interests of the master, and not the slave. Scholars of American slavery and Roman Catholicism note that Catholics in the U.S. South largely embraced the same ethos toward slaves as their Protestant counterparts, in which slaves received little protection from the abuses of masters. By the time of the nineteenth century, in particular, historian Randall Miller contends that "Catholicism was a captive religion that was unable to reach

Law of Slavery in Spanish Louisiana," in *Louisiana's Legal Heritage*, ed. Edward F. Haas (Pensacola, FL: The Perdido Bay Press, 1983), 43-86.

⁴⁸⁶ Jane Landers, *Black Society in Spanish Florida* (Chicago: University of Illinois Press, 1999): 126-127. Much of this debate centralizes within the contentions of Frank Tannenbaum, who argued in the 1940s that conditions of slavery in Latin American slave societies were less harsh due to favorable legal codes. Unsurprisingly, this sparked significant debate from Americanist and Latin Americanist scholars. For a few of the most notable works see Frank Tannenbaum, *Slave and Citizen* (1946; Boston: Beacon Press, 1992); Thomas N. Ingersoll, *Mammon and Manon in Early New Orleans: The First Slave Society in the Deep South, 1718-1819* (Knoxville: The University of Tennessee Press, 1999); Watson, *Slave Law*; Goviea, *The West Indian Slave Laws*, 9-53; Alejandro de la Fuente, "From Slaves to Citizens? Tannenbaum and the Debates on Slavery, Emancipation, and Race Relations in Latin America," *International Labor and Working Class History* 77 (Spring 2010), 154-73.

a captive people.”⁴⁸⁷ While this is largely true in tracing the influences of Catholic principles among slaves and slaveholders in the Old South, the Jesuit documents do reveal that they held a genuine concern for catechizing slaves in the principles of baptism, marriage, and confession. One Jesuit historian has even argued that the Jesuits were so zealous in their attempts to encourage slave matrimony they neglected to recognize the slave’s own “self-responsibility in the matter, and “took it for granted that they, not the slaves, had to safeguard the slaves’ marriages.”⁴⁸⁸ The ability with which they were able to do so in the Maryland colony presents interesting points of comparison for how slaves engaged matrimony under slaveholders who were dually subject to the competing ideologies of church and state.

The Jesuit landholdings throughout Maryland were acquired in the early seventeenth century by grants from Lord Baltimore, individual acquisitions, and bequests from wealthy Catholics. According to R. Emmett Curran the Jesuits initially employed indentured servants to work their fields, though African slavery was adopted in the early eighteenth century as their holdings increased. The Jesuits, at least initially, did not anticipate absorbing a large population of enslaved laborers. A recommendation from a

⁴⁸⁷ Randall M. Miller, “The Failed Mission: The Catholic Church and Black Catholics in the Old South,” in *Catholics in the Old South: Essays on Church and Culture* eds. Randall M. Miller and Jon L. Wakelyn (Macon, GA: Mercer University Press, 1999), 170. For other analyses on slavery and American Catholicism from perspectives of both slaves and owners see Randall M. Miller, “Slaves and Southern Catholicism,” in *Masters and Slaves in the house of the Lord: Race and Religion in the American South 1740-1870*, ed. John B. Boles (Lexington, KY: The University Press of Kentucky, 1988), 127-152; C. Walker Gollar, “Catholic Slaves and Slaveholders in Kentucky,” *Catholic Historical Review*, 84 (1998): 42-63; W. Jason Wallace, *Catholics, Slaveholders, and the Dilemma of American Evangelicalism, 1835-1860* (Notre Dame, IN: University of Notre Dame Press, 2010); Maura Jane Farrelly, “American Slavery, American Freedom, American Catholicism,” *Early American Studies*, 10 (2012): 69-100. For analyses of Catholic identity in the United States before the Civil War see Andrew Stern, “Southern Harmony: Catholic-Protestant Relations in the Antebellum South,” *Religion and American Culture: A Journal of Interpretation*, 17 (2007): 165-190; Margaret Wilson Gillikin, “Competing Loyalties: Nationality, Church Governance, and the Development of an American Catholic Identity,” *Early American Studies*, 11 (2013): 146-160.

⁴⁸⁸ Thomas Murray, *Jesuit Slaveholding in Maryland, 1717-1838* (New York: Routledge, 2001), 173.

governing charter in 1709 suggested that estates needed to determine a “sufficient number” of laborers necessary “for the use and service of said plantation, and that they be empowered, and...directed to sell to the best advantage all that shall exceed such number.”⁴⁸⁹ However, the system grew throughout the eighteenth century and by 1762 these Jesuits collectively held 192 slaves scattered throughout their territories in Maryland. By the early nineteenth century that number nearly doubled.⁴⁹⁰ The contemporary documents suggest that agricultural productivity may have been a minor concern as outside observers believed the Jesuit slaves worked very little and became resistant to authority. In one case the Jesuits even dismissed an overseer named Mr. Marshall due to the fact that he was “very unpopular and will...never be able to rule the servants who seem determined to oppose him right or wrong. They oppose all things [as] a way to oppose him”⁴⁹¹

The attitudes of this slave population in eighteenth and early-nineteenth century Maryland were probably not terribly different than other populations who similarly rejected aspects connected with Christian matrimony, but due to the Catholic emphasis upon sacramental marriage one wonders if the primary sources display any divergence among slaves who potentially accepted Catholicism in this region. In many respects the Jesuits’ complaints of the enslaved population’s resistance to the Sacraments mirrored

⁴⁸⁹ May 11th, 1709, Box 2, Folder 6, Maryland Province Archives, Georgetown University Special Collections (hereafter GUSC).

⁴⁹⁰ R. Emmett Curran, S.J., “‘Splendid Poverty’: Jesuit Slaveholding in Maryland, 1805-1838,” *Catholics in the Old South*, 126; Murphy, *Jesuit Slaveholding*.

⁴⁹¹ “Letter from unnamed writer to Peter Kinney [1839],” Box 31, Folder 3, Maryland Province Archives, GUSC. For contemporary comments on slaves’ resistance to white superiors see Patrick Smyth, *The Present State of the Catholic Mission, Conducted by the Ex-Jesuits in North America* (Dublin: P. Byrne, 1788), 17-18.

similar notations from their Protestant counterparts. In contrast to many of their aforementioned Protestant counterparts, however, the Jesuits in this area theoretically held more sway in forcing slaves to observe the matrimonial standard since they were the slaves' owners. Some documents suggest a campaign to encourage slaves to engage with church rituals, and one document entitled the "Nomina Baptizorum et Matrimonio Iunctorum" even placed a list of enslaved congregants next to that of the white parishioners.⁴⁹² However, missionaries were largely derailed by multiple circumstances in their attempts toward encouraging slaves to embrace Catholic matrimony. Even among the churchmen, slaves were still categorized as chattel. An 1803 inventory listing in the Jesuit documents listed them alongside draft animals and inanimate objects to divulge their approximate worth in the plantation's productivity.⁴⁹³ At times, the owner of the other slave was a significant obstacle, as in the case of an enslaved blacksmith named Enoch who requested from his Jesuit masters to marry a young woman who lived on the other side of the river. The Jesuits typically discouraged the circumstances of this abroad marriage since crossing the river posed significant danger, and reports circulated of enslaved men who drowned while using small canoes to cross rivers hoping "to see their relations" without the priest's knowledge.⁴⁹⁴ Due to these reservations the priests applied to the woman's master and mistress asking if they would sell the woman to them. For unknown reasons they refused the offer, and forbade Enoch from setting foot in their

⁴⁹² "Nomina Baptizorum et Matrimonio Iunctorum, Anno Domini 1767," Box 15, Folder 10, Maryland Province Archives, GUSC.

⁴⁹³ "An Inventory of the Property and Stock on St. Joseph's Farm, Talbot's County, State of Maryland," Box 31, Folder 2, Maryland Province Archives, GUSC.

⁴⁹⁴ "Diary of Brother Joseph Mobberly, page 28," Box 2, Folder 2, Joseph P. Mobberly Papers, GUSC.

house. In turn, the Jesuits were forced to relinquish their efforts in securing the marriage.⁴⁹⁵

While disinterested slave owners and environmental circumstances factored into the marital difficulties of slaves, correspondences also suggest that Jesuit slaves knowingly disregarded the moral status quo of Catholic marriage. In the exchanges between Jesuit missionaries Francis Neale and John Grassi they revealed the problems with “an old Negro man named Charles” who “got engaged by some wicked means to an old strumpet [prostitute] mother of 14 children who had never been married.”⁴⁹⁶ Charles apparently entered the marriage through secretive means and accepted responsibility as the patriarch for this family without the permission of his master, Francis Neale. The account reveals these Maryland slaves, despite protestations from the master class, entered into the married state without significant concern for church protocols. Neale also divulged the more complicated case of an enslaved female named Nelly who wished to marry a man named Harry who was owned by a Colonel Fenwick who lived on the opposite side of the St. Mary River. Neighboring priests and Fenwick’s own overseer soon raised a series of protestations against the union, as they understood Harry to be of a “scandalous character” and hesitated in inviting him to join their “family” either through purchase or his own visitations.⁴⁹⁷ Nelly was determined to pursue Harry, however, until her plans were foiled through Fenwick’s refusal to purchase her and she was obligated to seek another partner. Neale was initially optimistic that Nelly had repented of her immoral pursuits after her failure, as she afterward confessed of her sins and was

⁴⁹⁵ Francis Neale to John Grassi, 11 July, 1814, Box 58, Folder 11, Maryland Province Archives, GUSC.

⁴⁹⁶ Francis Neale to John Grassi, 11 July, 1814, Box 58, Folder 11, Maryland Province Archives, GUSC.

⁴⁹⁷ Francis Neale to John Grassi, 11 July, 1814, Box 58, Folder 11, Maryland Province Archives, GUSC.

admitted to the Holy Communion. However, despite his understanding that Nelly held no further intercourse with Harry she entered into a bigamous relationship with a man named Michael that was sanctioned by a Protestant minister. Despite their best efforts Jesuit missionaries quickly understood that slaves would not allow their marital preferences to be subjected to the anticipated standards of the Catholic sacraments. Such a notion is seen most specifically through a quantitative assessment of church registers in the Maryland colony from the mid-eighteenth century to the early nineteenth centuries.

The selected register for comparative data comes from the collections kept by Father Joseph Mosley, who documented his activities as an itinerant priest from 1760-1802. Mosley meticulously recorded the individuals he christened, baptized, and/or married throughout St. Joseph and St. Mary's counties, while noting the racial identities of the newly converted. While Mosley's data reveals very little in the matter of how the ceremonies were performed, the details surrounding the individual's racial identity and their specific sacramental participation help illuminate how slaves remained selective in their embrace of Catholic religiosity. Mosley notes that he christened 533 people of African descent between the years 1760 and 1799. Mosley usually made special notations if the person chose to be baptized at the same time, though his notations were too inconsistent to form a general conclusion as to how many individuals were actually baptized. Christening a slave, however, was also wrapped within questions of autonomy, authority, and patriarchy. Christening a slave child was either done at the request of the slave parents or the master, and Mosley unfortunately does not reveal this distinction in his list. As christening was an avowal of patriarchy for the slave owner, and simultaneously a method of solidifying an individual slave within a religious community,

the true motivations and level of agency involved in the process are difficult to unveil for the christened slaves.⁴⁹⁸

However, the statistics for slaves who embraced Catholic matrimony suggest that while slaves were outwardly willing to participate in the sacraments that provided entry into the religious community they remained largely indifferent toward those that enforced a Eurocentric standard of religious morality. During the time between the years 1763 and 1802 Mosley noted that he presided over 132 “negro” wedding ceremonies, equaling a total of 264 enslaved communicants who incorporated the Catholic ritual into their religious worldviews.⁴⁹⁹ While Mosley’s ability to perform 132 marriage services is not unimpressive, it compares unfavorably to the total amount of christenings referenced above. Far fewer slaves embraced this Catholic sacrament than those that were designed for entry into the fold, such as christenings and baptisms. The primary reason for the distinction likely stems from the fact that people married as adults, which provided more choice in the matter than those baptized and christened in the Catholic Church as children. Thus, while slaves and masters likely utilized the church for expressions of power or social networking, they were not bound to the same degree by the matrimonial standards that priests and other denominational churchmen desperately sought to enforce. While such statistics reveal evidence that slaves largely disregarded the marriage rituals of Christendom in the early period of colonial American slavery, one then wonders what exactly they did do when attempting to celebrate their nuptials in the diaspora.

⁴⁹⁸ For the view that christening was a demonstration of the master’s patriarchal authority see: Anthony S. Parent, *Foul Means: The Formation of Slave a Society in Virginia, 1660-1740* (Chapel Hill: University of North Carolina Press, 2003), 253.

⁴⁹⁹ Register of Fr. Joseph Mosley, Baptisms, Marriages, Conversions, and Burials, Box 31, Folder 4, Maryland Province Archives, GUSC.

Marriage and Ritual Practice in Colonial America

In the same vein as the West Indies and Bermuda very few descriptions of a slave marriage ceremony exist in the documents of colonial North America. References to slave marriage ceremonies were even glossed over by former slaves like Olaudah Equiano, Jeffrey Brace, Venture Smith, and Job Solomon despite the fact that many of them were either married as slaves or witnessed one during their sojourns in North America.⁵⁰⁰ Recovering the ceremonies enslaved laborers used requires a deep reading of the few extant descriptions available and placing them in a broader diasporic context. In returning to John Brickell's 1737 publication where the male slave presents the "brass ring" to his intended bride we can see the residual influences that African praxis held upon enslaved laborers in the colonial South, as well as how they recreated that ceremonies to mete their circumstances under chattel slavery. If colonial slaves typically performed their marriages privately, as Brickell suggested, most Euro-American observers were unprepared to interpret these enactments appropriately. Brickell certainly believed that the ceremony he witnessed held little substance, However, placing this custom in a diasporic context it appears that what he actually documented was a ritual expression rooted in Atlantic African courtship and marital traditions that were adjusted to mete the circumstances of American slavery. In contrast to the ancestral method of an

⁵⁰⁰ Venture Smith notes that he married "Meg", a slave of his master who was roughly his same age, but provides no details of the ceremony, see Smith, *A Narrative of the Life*, 16; Equiano, *The Interesting Narrative*, vol. I; Boyrereau Brinch, *The Blind African Slave, or Memoirs of Boyrereau Brinch, Nicknamed Jeffrey Brace. Containing an Account of the Kingdom of Bow-Woo, in the Interior of Africa; with the Climate and Natural Productions, Laws, and Customs Peculiar to That Place. With an Account of His Captivity, Sufferings, Sales, Travels, Emancipation, Conversion to the Christian Religion, Knowledge of the Scriptures, &c. Interspersed with Strictures on Slavery, Speculative Observations on the Qualities of Human Nature, with Quotation from Scripture* (St. Albans, VT: Harry Whitney, 1810); Bluett, *Some Memoirs of the Life of Job*.

elder kinsman proposing the male's intentions to the parents of his bride, the enslaved male of Brickell's account approached the woman directly. This adjustment to the courtship can be explained by the demographic situation of colonial North America, as blood-related family members rarely disembarked at the same port in the Americas.

If the individuals in Brickell's account were shipped to the colony as adults, they likely did not have any parents available to mediate the proposal. This new dynamic may have significantly enhanced the female's decision during courtship, as she possessed the ability to independently reject her suitor's advances, or if she accepted him, she was able to return the gift if she became dissatisfied with the union. This contrasted with the version practiced by western Africans, in which the parents of the woman were responsible for receiving the gifts and reimbursing the husband upon the event the union was unsatisfactory. In the colonial and early republican periods evidence actually suggests that enslaved women held the most choice in choosing their spouses and at times engaged in polyandrous marriages at the encouragement of their master, causing a significant reversal from the worldviews of the African societies many of them came from. The primary reason for this focus rested on the woman's ability to birth enslaved chattel to advance work force of the plantation. Enslaved women were particularly valuable to planters seeking to rely on natural increase to sustain their enslaved population. South Carolina planter Henry Laurens dispatched a newly enslaved African woman to "be a Wife to whome she shall like best amongst the single men."⁵⁰¹ In this scenario the master instigated the union, but the woman selected the mate of her choice. This potential contest probably encouraged enslaved males to present gifts of greater

⁵⁰¹ Henry Laurens to Timothy Creamer, 26 January 1764 in *The Papers of Henry Laurens* ed., Philip M. Hamer et. al., 16 vols. (Columbia: University of South Carolina Press, 1968-2003), 4:148.

value to usurp an edge of their competitors. Whatever monetary value this brass ring may have held, it appeared the enslaved woman recognized the symbolic importance of the gesture by her acceptance of continuing the marital process.

Despite the noticeable differences between the diasporic ceremony and those of Atlantic Africa, the symbol that remained consistent in both accounts was the use of the “brass ring.” Though Brickell largely dismissed the object’s value, his notation of a brass ring as the medium of exchange suggests it continued to hold value for African marital engagements in Africa and the diaspora. It is difficult to know for certain how the brass ring came into the slave’s possession. Given that North Carolina was not a large importer of enslaved agricultural laborers compared to its neighboring states, it is possible that this particular male was a skilled iron-worker or blacksmith, an industry that was one of the largest users of enslaved labor after agriculture.⁵⁰² Even if the slave was not involved in metal production, he could have obtained it through other means. Given that manilles were a primary token in exchanging for slaves, it is possible that such items could have been apprehended through underground trading networks with sailors who docked at port cities. Archaeologists are continuing to excavate an area called the “Manilla wreck” about six miles northeast of Bermuda, which is believed to be the debris of a slave ship.

⁵⁰² Marcus Christian, *Negro Ironworkers of Louisiana, 1718-1900* (Gretna, LA: Pelican Publishing, 1972); Harold Gill, *The Blacksmith in Eighteenth-Century Williamsburg* (Williamsburg, VA: Colonial Williamsburg Foundation, 1978); Charles B. Dew, *Bond of Iron: Master and Slave at Buffalo Forge* (New York: W.W. Norton, 1994); Alston Deas, *Early Ironwork of Charleston* (Fresno, CA: Linden Publishing, 1997). A number of ex-slave narratives describing slavery in the nineteenth century also reference the occupation of blacksmithing under slavery, and was usually considered a position reserved for favored, or skilled slaves: George P. Rawick, ed., *The American Slave*, vol. 18, *The Unwritten History of Slavery* (Westport, CN: Greenwood Press, 1979), 149; Rawick, ed., *The American Slave*, vol. 17, *Florida Narratives*, 89; Rawick, ed., *The American Slave*, vol. 11, *Arkansas Narratives*, part 7, 139; Rawick, ed., *The American Slave*, vol. 4, *Texas Narratives*, part 1, 267.

The discovery was important since it caused scholars to reassess Bermuda's role in transatlantic slaving, having previously concluded that it was minimal. For the purposes of this chapter, the "large number of copper arm-bracelets or 'manillas'" uncovered at the site reveals that if manilles were available in locations like Bermuda, they certainly would have appeared at other locations throughout the Americas.⁵⁰³

Bestowing his intended bride with a gift that was familiar to the practices of the ancestral homeland provides an important detail in how colonial slaves recreated the dynamics of gift-exchange in environments designed to transform human beings into commodities.⁵⁰⁴

While the brass ring was specifically noted as the usual instrument of exchange, Brickell's description of the object also deserves further scrutiny. Brickell also opined the object took the form of either a brass ring "or some other toy," suggesting that this medium of gift exchange might take multiple forms. Once again, this note fits well with African practices throughout the Atlantic coast and provides context for explaining another ceremony that happened among two slaves many decades later. In early nineteenth century Georgia, one observer noted a method of slave courtship that held residual influences from the Columbian exchange:

The man goes to the house of the woman, and roasts in the ashes ground-nuts; these he places between her and himself on a stool. And whilst they eat together, he tells her his desire; she seldom denies it, and he straightway takes her to his

⁵⁰³ Clifford E. Smith and Clarence V.H. Maxwell, "A Bermuda Smuggling-Slave Trade: The 'Manilla Wreck' Opens Pandora's Box," *Slavery and Abolition*, 23 (2010): 57.

⁵⁰⁴ This concept is most fully explored in Smallwood's *Saltwater Slavery*. Smallwood is largely following the work of Orlando Patterson's seminal *Slavery and Social Death*. For an overview and critique of this approach see: Vincent Brown, "Social Death and Political Life in the Study of Slavery," *American Historical Review*, 114 (2009): 1231-1249.

house, if he has one...But they most generally have no other ceremony than that of asking and consenting.⁵⁰⁵

This description reveals a few dilemmas that slaves faced when they enacted their marriage customs in the early period of the United States. In particular, slaves who approached courtship practices reminiscent of their ancestral customs needed to be particularly creative in how they conducted them. The commentator underestimated the importance of “asking and consenting”, which functioned as a key component of Africans’ courtship rituals. In the absence of material goods one could surmise that this component of the courtship would have increased in value. In the cases where slaves possessed an object to provide for the woman, they needed to provide an object that mutually satisfied both parties. In this case the selection of the peanut was probably due to reasons that were both practical and culturally symbolic. In the instance of the slave wedding in Georgia the peanut served similar purposes as the brass ring did for those in colonial North Carolina. Slaves in the southern Atlantic seaboard cultivated the peanut for their own consumption in garden plots during the colonial period and the nineteenth century. The peanut was initially regarded by elite classes as a “slave food”, in turn making the objects more widely available for both nourishment and cultural usage among enslaved populations.⁵⁰⁶

⁵⁰⁵ Hopkins, *Messalina's Questions*, 170, GDAH. For reiterations of this ceremony in the secondary literature see Ralph Betts Flanders, *Plantation Slavery in Georgia* (Chapel Hill: University of North Carolina Press, 1933), 173. Gutman, *The Black Family in Slavery and Freedom*, 348.

⁵⁰⁶ F. Roy Johnson, *The Peanut Story* (Murfreesboro, N.C.: Johnson Publishing Company, 1964), 44. Peanuts held a long history in Atlantic Africa and the Americas, see: Stanley B. Alpern, “The European introduction of crops into West Africa in precolonial times,” *History in Africa*, 19 (1992): 24, 26. For useful analyses that track the transatlantic exchanges of crops between Africa, Europe and the Americas see: Robert L. Hall, “Africa and the American South: Culinary Connections,” *Southern Quarterly*, 44 (2007): 19-52; James C. McCann, *Stirring the Pot: A History of African Cuisine* (Athens: Ohio University Press, 2009). George E. Brooks, “Peanuts and Colonialism: Consequences of the Commercialization of Peanuts in West Africa, 1830-70,” *The Journal of African History* 16 (1975): 29-54.

It is important to emphasize that the peanuts likely came from the slave's own garden, since the Georgia task system provided slaves more time to cultivate their own crops.⁵⁰⁷ Gonzalo Fernandez de Oviedo y Valdez noted that slaves in the Caribbean were eating peanuts as early as 1535, and Europeans in the British West Indies noticed that peanuts were brought to the colonies upon slave ships from Africa.⁵⁰⁸ Historian Betty Wood argues the slave system of lowcountry Georgia remained well connected to those of the Caribbean, which likely contributed to the importance of the food to many Georgia slaves.⁵⁰⁹ By 1803 Northern observers concluded that peanuts were "chiefly cultivated" by slaves throughout the South.⁵¹⁰ In this regard, the peanuts were literally the slave's own items to offer toward his love interest, providing some empowerment to the enslaved man's initiative.

Africanist Stanley Alpern argues that peanuts, indigenous to the Americas, were first introduced into Atlantic African societies by the Portuguese in the sixteenth century. The Portuguese likely attained the crop through their contact with Brazilian societies that engaged in precolonial overland trade with Peru, the location that recent scholarship

⁵⁰⁷ Betty Wood, *Women's Work, Men's Work: The Informal Slave Economies of Lowcountry Georgia* (Athens: The University of Georgia Press, 1995).

⁵⁰⁸ Andrew F. Smith, *Peanuts: The Illustrious History of the Goober Pea* (Urbana: University of Illinois Press, 2002), 12-13. Robert L. Hall, "Food Crops, Medicinal Plants, and the Atlantic Slave Trade," in *African American Foodways: Explorations of History and Culture* Anne L. Bower, ed. (Urbana: University of Illinois, 2007), 17-44.

⁵⁰⁹ Wood, *Slavery in Colonial Georgia*, 111-113.

⁵¹⁰ A.F.M. Willich, ed., "Earth-Nut," in *The Domestic Encyclopaedia; or, A Dictionary of Facts, and Useful Knowledge...* vol. 2 (Philadelphia: William Young Birch, 1803), 437-438.

places the origins of the crop.⁵¹¹ Peanuts became so important to West African economies that they were a primary export crop during African colonialism in the nineteenth century.⁵¹² F. Harrison Rankin's account of a wedding in Sierra Leone listed roasted peanuts as one item served at the ceremony, but African ceremonies using peanuts in the same method as the Georgia ritual do not exist in the contemporary documents.⁵¹³ Connecting the ritual maneuvers in the diasporic enactment with those that resemble the continental customs is what ultimately reveals the rich symbolic components of the slave ceremony. As with many diasporic practices, however, the enslaved method contains modifications. In a similar fashion to Brickell's narrative the woman in Georgia is approached directly, which contrasts with African courtship patterns that emphasized negotiation between parents and the suitor (or his representative). Since blood related kin rarely disembarked at the same location upon conclusion of the transatlantic voyage, many diasporic Africans in this earlier period had no elder representatives for such negotiations. In the absence of parental figures enslaved males initiated the request directly to the woman. In this instance the suitor took the roasted nuts to the woman's home. The potential bride ratified her acceptance of the proposal by consuming the edible gift, which bears resemblance to the African practice of providing items fit for consumption, such as kola nuts, rum, or tobacco, and approval bestowed through ingestion of the items.

⁵¹¹ Alpern, "The European introduction of crops," 24, 26. For useful analyses that track the transatlantic exchanges of crops between Africa, Europe and the Americas see: Hall, "Africa and the American South,"; McCann, *Stirring the Pot*.

⁵¹² Brooks, "Peanuts and Colonialism," 29-54.

⁵¹³ Rankin, *The White Man's Grave*, vol. 1, 219. Also notes that peanuts were sold at the markets on page 329.

The enslaved male's journey to the woman's house revealed a conscious effort to court her, and cooking a dish to share initiated the man's request to form a union. Within the text, however, a proposal was not voiced until the couple began eating, at which point the author suggested that if the woman accepted his proposal the meal concluded and they immediately began residence together. It is difficult to ascertain what happened to the peanuts after the process. The account does not delineate whether every peanut was consumed, or if they more represented a symbol that illustrated the man's intent? It is likely that under slavery that such a calorie dense food provided benefits if fully consumed, which illustrates some contrast to items like kola nuts or tobacco that hold value as stimulants but do not provide adequate nutrition. The account suggests that for this couple the food provided something more than mere sustenance, but a symbol of affection and desire rooted in both ancestral tradition and new environment.

The ability of an enslaved laborer to reenact components of an ancestral ceremony was particularly impressive when placed in the context of slave law and religion in early American history. Churchmen and legislators were skeptical of enslaved peoples' abilities to conform to Christian monogamy. Expressing some familiarity with traditional African marital practices, Anglican ministers came to the colony in the early eighteenth century with hopes of "redeeming" enslaved Africans from heathen practices. The balances of power were shifted in North America, however, as missionaries met resistance from both slaves and masters in attempting to introduce Christian rituals and marital forms. For missionaries, ritualization functioned as a method to secure their own power among the enslaved population by reinforcing the need for enslaved people to conform to a Christian society. The missionaries believed that the white settlers became

degenerate in the colonies and amounted to “little better than infidels,” which made most of them unfit for educating their slaves in Christian principles.⁵¹⁴ Since the master’s consent remained the primary roadblock to a missionary’s dreams of a Christian society, churchmen were forced to develop a rhetoric that stressed obedience to both masters and Christian principles.

Plural Marriage, Reproduction, and Slave Laws

The implementation of Christian marriages within the slave community served to benefit the missionary’s goals of conforming slaves to standards of religious expectations. Like their counterparts in Atlantic Africa and the West Indies, missionaries in the North American colony vigorously attacked slaves’ predilection for engaging in polygamous practices. Le Jau reminded all slaves that “The Christian Religion dos not allow plurality of Wives, nor any changing of them: You promise truly to keep to the Wife you now have till Death dos part you.”⁵¹⁵ Once again, however, polygamy and serial monogamy derailed missionaries’ abilities to encourage slaves’ embrace of Christian lifestyle. A slave’s conformity to Christian marital standards was never guaranteed, even if they were converted. If slaves were catechized appropriately, a promise to keep the monogamous practice would have been a prerequisite to conversion. Either slaves were intentionally disregarding the proscription against multiple spouses, or there existed extenuating circumstances that prevented them from fully exercising the

⁵¹⁴ John Williams, *A Sermon Preached before the Society for the Propagation of the Gospel in Foreign Parts* (London, 1706), 22-23, quoted in Rowan Strong, “A Vision of an Anglican Imperialism: The Annual Sermons of the Society for the Propagation of the Gospel in Foreign Parts 1701-1714,” *Journal of Religious History* 30 (2006): 189; For a similar reference from governor Gideon Johnston see: Klingberg, ed., *Carolina Chronicle*, 22.

⁵¹⁵ “Le Jau to the Secretary, October 20, 1709,” in *Carolina Chronicle of Dr. Francis Le Jau*, 60-61.

monogamous ideal. While missionaries recognized the owner's opposition was a significant factor in blocking their attempts at eliminating slaves' cultural predilections, they also understood that slaves decided to perpetuate the marital traditions despite the proscription against it. For after baptism they found that both white and black communicants "live together afterwards in common without marriage or any other Christian decency's as the pagan Negroes do who never entered into Church Membership."⁵¹⁶

The disruption of slaves' efforts towards monogamy, as well as the resistance of the enslaved, certainly instigated the widespread circumstances of slaves of both sexes co-habiting with multiple spouses simultaneously. But we should not rule out the possibility that polygynous practices in the colonial period were reflective of enslaved people's African worldviews. Colonial missionaries recorded instances of bigamy and polygamy among certain males in the slave quarters, which is somewhat astonishing considering that male majorities existed within most slave communities in the earlier periods. In one example from Virginia in 1712 a slave named Roger hung himself for "not any reason he being hindered from keeping other negroes men wives beside his own."⁵¹⁷ Roger's status was likely threatened at the possible revocation of his wives from legislative authorities, and instead of fighting a system based upon suppositions of black moral and cultural inferiority Roger committed suicide at the realization that his kinship system was unable to thrive under North American slavery. Despite the disapproval

⁵¹⁶ "Mr. Lang to the Bishop of London, Feb. 7th, 1726," in *Historical Collections Relating to the American Colonial Church*, volume 1, *Virginia*, ed., William Stevens Perry (1870; republished in New York: AMS Press, 1969), 347.

⁵¹⁷ Quoted in Frey and Wood, "The Americas: The Survival of African Religions," in *The Slavery Reader*, 394.

within the sensibilities of most white colonists, some commentators even accused masters of encouraging polygynous relations by providing enslaved males “a Number of Wives, or, in short, setting them up for Stallions to a whole Neighbourhood; when it has been proved...that Polygamy rather destroys than multiplies a species.”⁵¹⁸

The evidence suggests that for over two centuries slaves were not particularly enthusiastic about Christian moral norms since Christian marriage did not advance their position in society. Unlike in Spanish and French colonies, Anglophone territories maintained that the notion of a “slave marriage” was legally invalid as long as the enslaved were defined as “chattel”, a concept that nullified their ability to contract.⁵¹⁹ British-American legislators and slave owners certainly feared the possibility that if slaves were provided a legally protected union the planter class’ control over enslaved bodies would be severely curtailed, as they could no longer buy and sell slaves without concern for the separation of families. The great paradox of the North American slave system was the definitive silence upon the subject of enslaved matrimony. Until the late antebellum period, no law ever stated it was illegal for slaves to marry and no serious legislative action was ever taken to legitimize enslaved unions.⁵²⁰ The definition of

⁵¹⁸ Edward Kimber, *Itinerant Observations in America*, ed. Kevin J. Hayes (Newark: University of Delaware Press, 1998), 48.

⁵¹⁹ Within the colonization process the French and Iberian slave owners did hold slave codes protecting enslaved marriages, while the British and Americans did not. The degree to which the Iberians and French enforced these legal precedents varied through time and space, but the fact that the Anglophone legislators remained relatively silent on the issue is an important distinguishing feature of Atlantic slave systems. Tannenbaum’s *Slave and Citizen* was the controversial text that prompted scholarly exegesis of comparative slave legal systems. Also see: Watson, *Slave Law*.

⁵²⁰ There were a few calls from religious organizations in the South to protect slave marital rites in the 1850s and a few southern legislators during the Civil War attempted to pass bills that would legalize enslaved marriages, but the Confederacy did not act quickly enough upon its imminent defeat. See Guion Griffis Johnson, *Ante-Bellum North Carolina: A Social History* (Chapel Hill: University of North Carolina Press, 1937), 536, fnnt 60; Drew Gilpin Faust, *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South* (Baton Rouge: Louisiana State University Press, 1988), 78.

enslaved people of African descent as moveable property assured masters their ability to manipulate enslaved bodies to maintain total control over their work force. Such legislative limbo made enslaved matrimony largely null and void from the perspective of legislators, and despite the challenges of abolitionists who criticized southern slave owners with destroying slave familial units, white southerners were never obliged to consider any serious action in stabilizing enslaved marital relations through legal channels.

In returning to the narrative of John Brickell, he made one final point that merits some attention. He stated that slaves tended to “marry among themselves,” which suggests that there was an element of privacy for enslaved people in the eighteenth century. The revelation that slaves married privately complicates the idea that enslaved African traditions were entirely destroyed by the Middle Passage and subsequent enslavement. The aptitude for slaves to marry among themselves allowed them to temporarily shut out the white elites that controlled the majority of their daily activities. James Barclay, an overseer on a Charleston plantation in the eighteenth century, provided the following account:

The Marriages of the negroes are kept in the night, because in the day time they must work for their masters—...multitudes both of men, women, and children...will flock together from the neighboring plantations...There seems to be no particular ceremony used in their marriages, but the married pair acknowledging themselves man and wife.⁵²¹

⁵²¹ James Barclay, *The Voyages and Travels of James Barclay, Containing many Surprising Adventures and Interesting Narratives* (Dublin: The Author, 1777), 17.

This example detracts from Brickell's account in a few instances. Barclay claimed that these gatherings were rather large and later in the account reveals the festivities were rather lively. The divergence may be explained by the fact that Barclay's South Carolina account was written forty years after Brickell's, providing time for the slave system to grow much larger and vibrant than its North Carolinian predecessor. Interestingly, the account revealed that slaves congregated at night and the master is absent from the narrative. Brickell, Barclay, and the aforementioned observer from Georgia all make similar statements in that slave marriages performed outside the Christian standard were ceremonies devoid of ritual or symbolism. By looking deeper into these accounts, however, one finds important dimensions of slave marriage that contemporary observers either glossed over, or did not possess the necessary information to articulate.

For many white observers the slaves' religiosity was impressive when they employed it within the realm of Christianity, but most expressed some disdain when slaves used creolized practices that favored the African elements, and not the European. Ultimately, however, reproducing the enslaved population was the key to continuing the plantation economy and masters likely preferred their slaves to reproduce when possible. In a series of letters published in 1789, an anonymous Whig wrote his friend concerning the nature of slave cohabitation on a Maryland plantation: "The increase of these poor creatures is always an advantage to the planters, their children being born slaves; for which reason the owners are very well pleased, when any of them marry."⁵²² The quote displays a double message that revealed the notion that masters desired their slaves to

⁵²² *The Lover and the Reader: To which are Prefixed the Whig-Examiner, and A Selection from the Medley, of Papers Written by the Principal Authors of The Tatler, Spectator, and Guardian* (London: John Nichols, 1789), 227.

marry, but also expressed a degree of doubt that marriages were contracted with any frequency. The placement of the comma before the phrase “when any of them marry” suggests that the author was unsure whether or not slaves even desired marriage under their current circumstances, and it was a rather thrilling moment when any marriages occurred.

Brickell and other observers, however, frequently commented upon a common problem in the slave system’s lack of respect for slave marriages, accusing the system of enticing slaves to frequently separate from their spouses or practice polygyny. While examples certainly existed, any suggestion that slaves universally practiced polygyny in the colonial period is difficult to justify. As noted, West African and West Indian polygyny was typically reserved for men of status within the communities and required a certain degree of wealth and prestige to afford the families that were created from the institution. Such circumstances were likely the same in the period that preceded antebellum North America. Additionally, it is important to note that due to the dynamics of the slave trade far more men were shipped into the southern colonies than women. The ratio of men to women in New World slave societies, in combination with slave marriage being performed at the master’s discretion, would have made West African notions of polygyny more difficult to duplicate, though not impossible.

Women’s mating decisions were not always stable, however, as Brickell noted that “It frequently happens, when these Women have no Children by the first Husband, after being a Year or two cohabiting together, the Planters encourage them to take a second, third, fourth, fifth, or more Husbands or Bedfellows; a fruitful Woman amongst them being very much valued by the Planters, and a numerous Issue esteemed the

greatest Riches in this Country.”⁵²³ In certain respects, this is a case of serial monogamy instigated by the planter, and less polyandrous. Slave owners placed great value on the reproductive capabilities of the female slaves, and in some instances they encouraged as many marriages as possible as one method of ensuring that slave couples copulated. Francis Le Jau made a similar point, but with a slightly different emphasis. In one letter he lamented that “Many Masters can't be persuaded that Negroes and Indians are otherwise than Beasts, and use them like such,” and remarked in a later letter that “One of the most scandalous and common crimes of our slaves, is their perpetual changing of wives and husbands.”⁵²⁴ For Le Jau, Christian instruction was the key to unloosing the spiritual captivity enslaved people were under, but their physical captivity prevented such instruction from taking place.

Successful marriages and the production of children, however, allotted a few slaves a degree of bargaining power. In 1792, George Walton wrote Governor Edward Telfair of Savannah, Georgia that “With regard to the negroes I hold together they promise prosperity...Indeed, they are so related and intermarried to birth each other, that a separation impracticable, without the most inhuman indecency.”⁵²⁵ In this case, the efficiency of the enslaved community obligated Walton to keep them together. The communal structure of this particular slave community fueled their production, thus providing some defense, however tenuous, to the planter’s encroachments. Another case by Robert Carter of Nomony Hall, Virginia reveals a case of slave’s personal resistance.

⁵²³ Brickell, *The Natural History*, 274.

⁵²⁴ Le Jau to the Secretary, March 22, 1709, SPG-CLAW; 1709 Oct. 20: Francis Le Jau, St. James’s Parish, Goose Creek, to the Society, SPG-CLAW.

⁵²⁵ George Walton to Edward Telfair Feb. 1792, Edward Telfair Papers, 1762-1831, Box 4, Rubenstein Library.

In this letter, Carter speaks about Sam, a skilled slave frequently sent to fix appliances at any one of Carter's many plantations. In this scenario, however, Sam expressed dismay at his current circumstances by running away from the Cancer plantation, causing Carter to reconsider Sam's situation: "The Revd Mr John Sutton... thought that Sam...should not be sent back he having a wife in this neighbourhood, who belongs to Mr Charles Carter now of Charles City County—Sam thinks it a hard case to be separated from his wife—under these considerations Sam is not to return to Cancer..."⁵²⁶ In a somewhat rare case of successful runaway attempts, Sam knew his skilled status allotted him some bargaining power with his master. In this instance, it was Sam's love for his wife that instigated his decision to demonstrate his dissatisfaction. Thus, while the promotion of natural increase among American planters is commonly associated with the antebellum period, multiple sources throughout the eighteenth century reveal that even while the slave trade remained open, planters encouraged their slaves to breed.

The difficulties of marriage and reproduction were not the only concerns for slaves contracting marriage, however, as there was always a looming threat of separation. Some commentators attributed this phenomenon to the fact that slaves knew they could be sold at any time. In 1774, John Woolman observed:

when Negroes marry after their own way, some [masters] make so little account of those marriages that with views of outward interest they often part men from their wives by selling them far asunder, which is common when estates are sold⁵²⁷

⁵²⁶ Nomony Hall March 16, 1779, Robert C. Carter Papers, Box 11, Rubenstein Library.

⁵²⁷ John Woolman, *The Works of John Woolman: in Two Parts* (London: T. Letchworth, 1775), 63.

The existence of chattel slavery made slave marriages null in the eyes of the law. The closest that colonial North American legislators ever came to a “law” for slave marriages was in the form of a suggestion that encouraged ministers to teach slaves about matrimony. In expounding upon the principles that should guide slave owners and ministers in approaching their slaves’ religious indoctrination, a group of noteworthy residents in the colony of Georgia argued “the Minister of Ministers shall on all occasions inculcate in the Negroes the natural obligations to a Married State where there are Female Slaves cohabiting with them.” Scooting around the issue of legality between slaves, the tract continues by noting that “no Intermarriage between White People and Negroes shall be deemed lawful Marriages.”⁵²⁸ While foregoing extensive commentary upon the legality of slave matrimony, legislators were eager to instigate the racial divide through appeal to the marital contract.⁵²⁹ Since the Church was not obligated to recognize the marriages of enslaved people, neither were civil authorities. It is difficult to ascertain whether the Church laws followed a previously established legal precedent, or that most colonists eventually assumed that enslaved people’s status as property prevented them from contracting a legally recognized union. Either way, slaves likely knew that the unions they entered into were never guaranteed protection, and the impact separation had for colonial slaves was nothing less than devastating. Woolman’s statement validates the notion that slaves married “after their own way,” and that this union was frequently dismantled by masters seeking gainful trade.

⁵²⁸ Knight, ed., *The Colonial Records of the State of Georgia*, volume 25, *Original Papers*, 434.

⁵²⁹ For more extensive discussion upon interracial marriage in both the colonial and antebellum periods see Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997); Hodes, ed., *Sex, Love, Race*; Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans* (Baltimore: Johns Hopkins University Press, 2009).

By the mid-eighteenth century scholars note “the value of keeping slave families together had entered planter discourses about the master-slave relation” though it largely “failed to shape many planters’ attitudes about the sale and separation of their slaves.”⁵³⁰ Often when a planter died his written will divided slaves amongst his children, keeping some enslaved couples together while also dividing their families. In an illustrative example, the 1780 will of Joseph John Alston of North Carolina bequeathed to his son “ten negroes and their increase to be equally divided between the said children and their heirs or assigns.”⁵³¹ Thus, even before the domestic slave trade of the nineteenth century separated slave families through sale to the deep South, slave families always faced the looming threat of separation as they were divided as property among the descendants of the planter-patriarch. In the late eighteenth century slave owners in the Chesapeake even began to promote the notion of slave breeding as a valid replacement for importation. Thomas Jefferson considered “the labor of a breeding woman as no object, and that a child raised every 2 years is of more profit than the crop of the best laboring man...with respect therefore to our women and their children I must pray you inculcate upon our overseers that it is not their labor, but their increase which is first consideration with us.”⁵³² Thus, for Jefferson and other slave owners it was not so much the marital rite that was a primary issue, but the assurance of a natural increase to numerically bolster the slave population.

⁵³⁰ Brown, *Good Wives*, 359.

⁵³¹ Joseph A. Groves, *The Alstons and Allstons of North and South Carolina, Compiled from English, Colonial, and Family Records with Personal Reminiscences also Notes of Some allied Families* (Atlanta, GA: The Franklin Printing and Publishing Company, 1901), 76.

⁵³² *Thomas Jefferson's Farm Book, with Commentary and Relevant Extracts from Other Writings* (Princeton, NJ: Princeton University Press, 1953), 43.

Chesapeake slave owners were spurred by the notion that the sex ratios of the slave population began to stabilize by the mid-eighteenth century and clergyman Hugh Jones noted that even by 1720 the slave population increased “by fresh supplies from Africa and the West India islands; but also very prolifick among themselves.”⁵³³ The lowcountry colonies of South Carolina and Georgia remained more heavily reliant upon the African slave trade up to the mid-eighteenth century and the creole-born black population of South Carolina did not reach a majority until 1770. Such circumstances led to a more sizable male population due to the demographics of transatlantic slave trading, though observers noted that enslaved South Carolinians began growing through natural reproduction around 1750.⁵³⁴ The relative stabilization of the slave family paradoxically led to the most inhumane component of the institution that gained ground in the nineteenth century: the separation of enslaved spouses, and slave parents from their children.

A journal kept by a woman known only as Mrs. Smith reveals this element of slave marriage and forcible separation within the growing southern plantation society. Focus on this component of her document provides a fascinating glimpse into the dynamics of early American trading networks and their impact on enslaved marriages. In Mrs. Smith’s example, an enslaved couple felt the pain of separation, despite their profound degree of affection for one another. In 1793, Mrs. Smith documented her travels

⁵³³ Hugh Jones, *The Present State of Virginia; from whence is inferred a short view of Maryland and North Carolina* [1724], ed. Richard L. Morton (Chapel Hill: University of North Carolina Press, 1956), 75. Also see Kenneth Morgan, *Slavery and the British Empire: From Africa to America* (Oxford: Oxford University Press, 2007), 85-87.

⁵³⁴ For the male majority taken in the slave trade see Heuman and Walvin, eds., *The Slavery Reader*, part one; David Eltis and David Richardson, eds., *Routes to Slavery: Direction, Ethnicity, and Mortality in the Atlantic Slave Trade* (New York: Routledge, 1997). For the demographic circumstances of male and female slaves in South Carolina see Morgan, *Slavery and the British Empire*, 87-88.

along the eastern coastline of the United States. While it is difficult to ascertain her place of origin, Smith was certainly not a southerner, nor does she appear to have spent much time around enslaved people prior to her 1793 journey into Savannah, Georgia, the location that comprised the bulk of her journal entries. Smith commented on both her fascination with enslaved culture, as well as her disdain for the system. She wrote of her amusement “with looking at the Negroes & their Huts on a Rice Plantation,” and upon observing the slaves church service became convinced that “there was more appearance of devotion in them than in the whites.”⁵³⁵ While she commented on the harsh treatment endured by the “sons of slavery” on the rice plantations, she wrote admirably of enslaved people’s abilities to adapt their oppressive circumstances into opportunities for communal bonding and cultural expression.

Her most emotional entry, however, came in her observation of a bargain an enslaved male was attempting to strike with his master who recently sold his wife to Jamaica. “The unhappy situation of this poor Negro,” Smith wrote “in whom appeared the strongest marks of conjugal affection...came to his master at our lodgings and asked him to sell him to a captain that was bound for Jamaica... he said he was not discontented with his master but he wished to be with his family.”⁵³⁶ Unsurprisingly, the master did not yield to the slave’s request, and was able to convince him that the ship captain sought only to make money by selling him, and there was no guarantee that he would be sold to the same plantation as his wife. Upset by the master’s callous view of enslaved relationships, Smith excused herself and confided in her journal: “I never more ardently

⁵³⁵ Mrs. Smith diary, 1793, pages 8, 10, Rubenstein Library.

⁵³⁶ Mrs. Smith diary, 1793, page 17, Rubenstein Library.

wished to possess Power and Wealth the first exercise of it should be to join this affectionate husband to his wife.”⁵³⁷ For Smith, the harshest reality of slavery centered on her realization that despite the deep commitments enslaved couples exemplified, the master class had the ability to prevent slaves from sustaining marital relationships if it promoted financial gain.

In addition to portraying a detailed description of the emotive effects of forced marital separations, Smith touched upon an important dimension of the eighteenth-century slave trade. Her notation shows the interconnected nature of the island colonies with the North American mainland, even after American Independence. Trading in human chattel continued in both directions, usually at the expense of enslaved families. It is probably impossible to calculate the immensity of this trade with any accuracy, but a contemporary historian named Alexander Hewitt found the practice frequent enough to include it in his 1779 account of the colonies. In Hewitt’s account, captured Amerindians were the main victims of this trade: “These captive savages were disposed of to the traders, who sent them to the West indies, and there sold them for slaves.”⁵³⁸ The web that interlinked the Caribbean with the Atlantic seaboard was to the detriment of enslaved couples that could be separated at the master’s whim. In contrast to its antebellum counterpart, in which some exceptional cases of finding relatives after the Civil War were documented, the human trade to West Indian slave societies remained a zone of no return that relocated spouses to toil under the harsh conditions of sugar slavery with no hope of reuniting with lost kin or companions on the continent.

⁵³⁷ Mrs. Smith diary, 1793, page 18. Rubenstein Library.

⁵³⁸ Alexander Hewitt, *An Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia* vol. 1 (1779; London: Alexander Donaldson, 1962), 78.

Conclusion

Slave marriages faced significant obstacles as they chronologically progressed deeper into the nineteenth century. The rise of the domestic slave trade ripped American slave families apart at unprecedented levels, and scholars calculate that over one million slaves from the Upper South and Atlantic seaboard slave states were forcibly transported into the frontier slave states of the interior.⁵³⁹ The trade would fundamentally change the landscape and culture of the Old South as enslaved laborers populated the newly-acquired slave states westward. Even the Jesuit community of Maryland participated in this trade by selling their remaining slaves to French Catholic slaveholders in Louisiana in 1838.⁵⁴⁰ The domestic slave trade fueled abolitionist criticism for the institution, as they cited the perpetual rupture of the slave family as the cruelest component of the antebellum institution. Southern slave holders responded in tandem with polemical apologetics that stressed the divine nature of the institution and their own paternal benevolence toward their slaves. One component they stressed rather frequently was the subject of slave marriages, and these defenses instigated further discussion upon the nature of slave matrimony in the four decades leading up to the Civil War. The next two chapters review how the combined events of the closing of the transatlantic slave trade in 1808, the

⁵³⁹ Michael Tadman, *Speculators and Slaves: Masters, Traders and Slaves in the Old South* (Madison: University of Wisconsin Press, 1989); Walter Johnson, *Soul By Soul: Life Inside an Antebellum Slave Market* (Cambridge: Harvard University Press, 1999); Steven Deyle, *Carry Me Back: The Domestic Slave Trade in American Life* (Oxford: Oxford University Press, 2005); Edward E. Baptist, "Stol' and Fetched Here': Enslaved Migration, Ex-Slave Narratives, and Vernacular History," in *New Studies in the History of American Slavery*, 243-274; Lacy K. Ford, *Deliver Us From Evil: The Slavery Question in the Old South* (Oxford: Oxford University Press, 2009), 112-130; Ira Berlin, *The Making of African America: Four Great Migrations* (New York: Viking Press, 2010).

⁵⁴⁰ Murray, *Jesuit Slaveholding*, 35.

intensification of the domestic slave trade, and the abolition of slavery in the British colonies between 1834 and 1838 brought debates over slave matrimony into a transatlantic discussion that held direct repercussions for enslaved people and slave owners, and how these experiences ultimately formulated the regional issues that distinguished the antebellum South from its colonial predecessor and West Indian counterparts.

CHAPTER 6

“EITHER HUMAN BEINGS OR BEASTS”: SLAVE MATRIMONY IN ANTEBELLUM WHITE PERSPECTIVE

In 1853, citizens of North Carolina circulated a “memorial” that called for governmental reform of the institution of slavery throughout the South. Hoping to ignite greater interest in reforming the peculiar institution, the anonymous body of citizens outlined four propositions that they hoped would make slavery palatable for all Americans. Of the four proposals, one dealt with slaves’ educational opportunities, while the other three dealt with slave marital and family life, in turn suggesting that the latter component of slavery had gained significant clout in the minds of many antebellum white Americans. The citizens first claimed that a Christian nation was obligated to establish the institution of matrimony among its slaves, “with all its legal obligations and guarantees as to its duration between the parties,” and followed the proposal by contending “that under no circumstances should masters be permitted to disregard these natural and sacred ties of relationship among their slaves.”⁵⁴¹ The North Carolina petition was certainly not the first proposal that called for revising the traditions and practices of southern slave marriage. In 1830 the “Friends of Liberty and Equality” issued a petition to the citizens of North Carolina discussing the inherent problems in the slave system,

⁵⁴¹ *Memorial of Citizens of North Carolina to the General Assembly asking for certain reforms in the laws relating to slaves and free persons of color* (1853). The memorial is available on <http://memory.loc.gov>, Accessed 8/18/2013. Also see Johnson, *Antebellum North Carolina*, 536.

and used the legal invalidity of slave marriage as a primary reference point: “that as there is no law to guard the sanctity of marriage among slaves, so there is none to restrain them from any of these abominations in this respect, to which they, in consequence of their degraded situation, are particularly prone. Hence adultery, fornication, polygamy, incest &c.”⁵⁴² While the 1830 publication suggests a heightened interest among some white southerners on how to solve the problems associated with American slavery, the 1853 memorial was significant in its origins as a petition among common citizens in the South and in the fact that it garnered significant discussion among many prominent white southerners seeking a solution to these issues without eradicating the system. Similar to the British colonial experience, the business of slave reform was usually reserved for intellectuals, churchmen, and legislators during the antebellum period.

The memorial appears to have circulated widely, and after two years it made some headway in southern publications. In reference to the proposals, the *Raleigh Register* argued that “a large portion of the better class of the population...would be pleased to have the modifications made.”⁵⁴³ The northern-based *German Reformed Messenger* agreed, surmising that if “the proposed changes [were] adopted and carried out, they would gradually, but very surely, undermine the whole foundation of the system of slavery.”⁵⁴⁴ The reporter anticipated the reform measures would lead to slavery’s gradual erosion, citing the opinions of leading southern statesman Samuel Houston who testified that providence would find a way to rid the southern United States of its dependence

⁵⁴² The Friends of Liberty and Equality, *An Address to the People of North Carolina, on the Evils of Slavery* (Greensboro, NC: William Swain, 1830), 41.

⁵⁴³ *Raleigh Register*, April 18, 1855, quoted in R. H. Taylor, “Humanizing the Slave Code of North Carolina,” *The North Carolina Historical Review*, 2 (1925): 331.

⁵⁴⁴ “Change in the Slave Laws Proposed,” *German Reformed Messenger* (March 7, 1855), 4259.

upon slave labor. While these interpretations took the most extreme position in categorizing the reform as a means to slavery's end, it is significant that these commentators surmised that releasing a slave owner's control over their slaves' marriages was equated with slavery's eventual destruction.

The prominent proslavery agricultural journal *Debow's Review* also weighed in on the issue, and suggested the proposed legislation could hold favorable consequences for southern slave owners. *Debow's Review* reported the people of North Carolina were "agitating a project" to legalize the institution of marriage among slaves and provide them legal claims over their children.⁵⁴⁵ The author of this short article expected the proposals would likely be passed by the legislature, causing slavery to then "be regarded in an entirely new light," and surmised that, if passed, the legislation would rob the "enemies of the institution their most fruitful and plausible excuses for agitation and complaint."⁵⁴⁶ It was a valid point. Abolitionists frequently cited the instability of slave marriages as their main point of attack upon the southern system, noting the gross inconsistency in rupturing the sacred obligations associated with marriage within a supposedly Christian society.⁵⁴⁷ If reform-minded North Carolinians successfully petitioned for the recognition of slave marriages, this author expected the slave system would not only remain intact, but white southerners would finally be equipped with the necessary apologetics to deflect abolitionists' most poignant criticism. While this latter component was viewed as a significant victory for apologists of slavery, it is interesting

⁵⁴⁵ "Slave Marriages," *Debow's Review*, 19 (1855): 130.

⁵⁴⁶ "Slave Marriages," *Debow's Review*, 130.

⁵⁴⁷ For examples of such arguments see William E. Channing, *Slavery* (Birmingham: Edward Osborne, 1836), 46; "Southern View of Slave Marriage," *New York Observer and Chronicle*, Nov. 2, 1854, 32, 44; "Can a Slave be Lawfully Married?" *New York Evangelist*, March 4, 1847, 18, 9.

that he also cautioned readers that certain “evils” would need to be contended with and objections to be answered if the modifications were adopted. Once again, the belief that providing slaves with control over their marriage relations was a potent attack against a system predicated upon the master’s absolute power.

The reaction to the North Carolina proposals reveals one of the most significant turning points in both the intellectual and social histories of slavery as it evolved from a colonial into an antebellum institution. On the one hand it appears that white southerners were generally willing to adopt measures in reforming the slave system as it existed in the mid-nineteenth century, but were cautious of the potential problems the modified legislation would bring to the traditions and social practices of antebellum planters. The unnamed *Debow’s Review* author submitted the legislation would easily pass through North Carolina and would subsequently experience a domino effect throughout the remaining southern states. Evidence exists that the governor of Alabama proposed legislation that would prevent the forcible separation of enslaved spouses and their children in 1854, suggesting that calls for slave marital reforms began a gradual spread from the upper South to the newly annexed states of the deep South.⁵⁴⁸ But if this was so, one wonders why there is no evidence that such legislation ever passed? The Civil War certainly interrupted the South’s political maneuvers, but if the measures were introduced five years before South Carolina seceded from the Union it remains a paradox as to why southern legislatures did not promote reforms like their counterparts in the British Atlantic a few decades earlier. This chapter seeks to answer this question by analyzing

⁵⁴⁸ Quoting the *Southern Presbyterian Review*, see “Southern View of Slave Marriage,” *New York Observer and Chronicle* (Nov. 2, 1854), 32, 44.

how slave marriage functioned for white Americans in both theory and practice in the antebellum period.

Questions surrounding slave marriage in the antebellum period were produced through local and transatlantic events that reverberated throughout the United States. Following Edward Rugemer's thesis in *The Problem of Emancipation*, which argued that events throughout the Caribbean directly impacted North Americans' discussions of slavery and their eventual entrance into the Civil War, this chapter details how British abolitionism and emancipation programs encouraged American slave owners to promote reforms to the system as they hoped to make the institution more palatable to outside observers and abolitionist critics.⁵⁴⁹ While the reforms held no legal authority, they are significant in being the first legitimate effort by American slave owners who either questioned the humanity of the system, or understood that its survival was predicated upon a few necessary changes. Viewing the contentions between northern abolitionists and proslavery apologists, as well as the observations of international commentators and the private musings of slave owners I argue that white America's perception of slavery and freedom varied by region, and debates surrounding the legitimacy of slave marriages became primary focal points in the criticisms and defenses of American slavery. In contending against the abolitionists, slavery's apologists found themselves trapped within debates that placed morality against profit and secular law against Christian principles.

⁵⁴⁹ Rugemer, *The Problem of Emancipation*. Other previous works that took a transatlantic approach are also pertinent to this analysis concerning the adjustments in the slave institution in the nineteenth century, see: James M. McPherson, "Was West Indian Emancipation a Success? The Abolitionist Argument During the American Civil War," *Caribbean Studies* 4 (1964): 28-34; Joe Bassette Wilkins, Jr., "Window on Freedom: The South's Response to the Emancipation of the Slaves in the British West Indies, 1833-1861" (Ph.D. diss.: University of South Carolina, 1977); Matthew J. Clavin, *Toussaint Louverture and the American Civil War: The Promise and Peril of a Second Haitian Revolution* (Philadelphia: University of Pennsylvania Press, 2009).

Viewing the circumstances throughout the British Atlantic, southerners and northerners interpreted the relative “success” of British abolition from differing vantage points, specifically regarding the ability of slaves and former slaves to adhere to Christian principles of matrimony. These competing interpretations ultimately led to the development of the unique characteristics that defined slave life in the antebellum South.

Transatlantic events influenced the proposed adjustments. This chapter shows that these precedents were highly influential in placing the question of slave marriage within American socio-political debates of the nineteenth century. By analyzing the impact of British emancipation; descriptions of slave marriage from southern masters and visitors to the region; the contentions of northern abolitionists; reform maneuvers from southern churchmen; and statistical data that explores how slave owners typically categorized slave marriages this chapter shows that, despite the bias nature of the sources, white Americans’ divergent opinions on the question of slave matrimony reveal critical details in how white southerners responded to new threats to their institution. These events help explain why nineteenth-century sources reveal such a dramatic rise in references to slave matrimony, while their predecessors in the seventeenth and eighteenth centuries rarely mentioned such ceremonies.

Atlantic Influences

For southern apologists the fabric of the antebellum institution was predicated upon a façade of paternalism that argued slaves were adopted into a genteel white familial unit that fostered their development in Eurocentric notions of civility and

religion.⁵⁵⁰ Providing permission for enslaved couples to marry, as well as sponsoring the wedding ceremony, convinced numerous white elites that the institution was superior to the developing capitalist institutions of the northeast. Northern abolitionists, however, cited the unholy rupture of slave families to counter southern apologists and cited the domestic slave trade as the greatest contradiction of a Christian society. Such arguments were not entirely new, however, as they took place on a much more limited scale in the United States in the eighteenth century. Through the transatlantic criticisms that hailed from Wilberforce, Clarkson, and their American allies in the North, the nineteenth-century United States witnessed unprecedented concerns for slave treatment. While plans for slavery's reform included numerous issues, many such proposals revolved around the access of secure marriages for enslaved laborers.

The abolition of slavery throughout Britain's Atlantic empire was accompanied by numerous questions in the minds of many Americans. According to historian Frank Thistlewaite, "The West India Emancipation Act not only gave heart to incipient abolitionists but provided them with a plan of action."⁵⁵¹ Unlike the violence of the Haitian revolution, the relatively peaceful process through which British Emancipation traveled inspired the possibility that slavery might gradually decay as the Founding

⁵⁵⁰ The popularization of the theory of planter paternalism is largely credited to Genovese, *Roll, Jordan, Roll*, 5. With significant alteration to the racist assumptions of the Work of U.B. Phillips, Genovese largely built upon the paternalism concept found in Phillips work *American Negro Slavery*, 52. For synopses of this concept see: Jeffrey Robert Young, "Introduction," in *Proslavery and Sectional Thought in the Early South, 1740-1829: An Anthology*, ed. Jeffrey Robert Young (Columbia, SC: University of South Carolina Press, 2006), 4-8.

⁵⁵¹ Frank Thistlewaite, *The Anglo-American Connection in the Early Nineteenth Century* (Philadelphia: University of Pennsylvania Press, 1959), 108. Literature connecting US abolitionist thought with British Emancipation is a well-developed historiography, see the following seminal works: Gilbert Barnes, *The Antislavery Impulse, 1830-1844* (New York: Harcourt, Brace, and World, Inc., 1964), 29-31; Louis Filler, *The Crusade Against Slavery 1830-1860* (New York: Harper and Brothers, 1960), 151-152; Clare Taylor, *British and American Abolitionists: An Episode in Transatlantic Understanding* (Edinburgh: Edinburgh University Press, 1974).

Fathers imagined. Such a prospect was wishful thinking, however, as southern statesmen and political leaders had repeatedly lobbied to expand slavery further West throughout the nineteenth century. By 1830 the slave population nearly quadrupled from its numbers in 1790, and higher numbers of slaves cultivated soil west of the Mississippi. Maryland planter Thomas Law even expressed fear over the rapid expansion of the slave population, and used inflated statistics to surmise that that the slave population would soon be a majority throughout the South, as they had already become so in Mississippi and South Carolina by the 1820s. Law attributed the rapid expansion to African Americans' abilities to thrive in the southern climate, alongside his belief that they were "not prevented from union by the prohibitions of parents by moral improvements, or prudential restraints."⁵⁵² While he believed in the value of slavery as an economic institution, Law surmised that some regulations were needed to curtail the unmitigated increase of enslaved laborers in order to prevent a duplication of the insurrection of St. Domingue.

Such thoughts were not simply isolated rants, as fellow slave holder John H. Alexander mused in 1857 that the 300,000 slaveholders in the South were drastically outnumbered by populations of color, but did not receive the same level of concern for their well-being as their black, Indian, or Chinese counterparts.⁵⁵³ This claim of victimization was utilized to gain polemical legitimacy, contending that abolitionists targeted the wrong group. Both southern and northern politicians wanted to believe that

⁵⁵² "Undated Letter of Thomas Law's Comments on the Colored Population," Thomas Law Papers, 1792-1834, Maryland Historical Society. Also see "Thomas Law to John C. Calhoun, August 10, 1821," Thomas Law Papers, 1792-1834, Maryland Historical Society.

⁵⁵³ Essay dated 1857, Series 3, Box 1, Folder 17, John H. Alexander Collection, Reports, Pamphlets, and News Clippings, 1824-1850 in University of Maryland Hornbake Library, Special Collections.

political concessions, such as the Missouri Compromise of 1820, Compromise of 1850, and the Kansas-Nebraska Act of 1854, would render further debates over the legitimacy of slavery moot, such enactments showed no promises of silencing the issue. Britain's emancipation act of 1834 figured into many of these debates, as it was either elevated as a victory by the northern critics of slavery, or it was seen by slavery's apologists as a catastrophic failure in advancing people of African descent to the standards of white civilization. A questionnaire sent from Boston to various West Indian colonies noted that the Act of the Imperial Parliament of Great Britain held significant resonance upon slave colonies throughout the Atlantic World, contending that their main disputes with the emancipation centralized in whether or not emancipation improved the character and condition of white and black inhabitants of the colonies, inquiring in one segment if "marriage and the other domestic relations [are] more or less respected than formerly."⁵⁵⁴ This specific questionnaire did not contain an answer, but it speaks to the momentum northern critics gained through Britain's imperial act.

The reports concerning an increase in matrimony among the emancipated slaves of the West Indies was formidable testimony to the benefits of emancipation. Their newfound freedom was supposed to encourage former slaves to engage in the contract of marriage, a legal identity long denied them under West Indian legislation. Despite many Americans' perceptions that "the negroes of the West Indies were far below those of our country in point of civilization", abolitionists cited the apparent rise in matrimony as a testament to the success of emancipation campaigns in the British Atlantic.⁵⁵⁵ American

⁵⁵⁴ "Boston, U.S., 1847," *The Liberator* (December 11, 1863), 198d-199a.

⁵⁵⁵ "The British West Indies," *National Era* (September 13, 1849).

publications with abolitionist leanings enthusiastically reported that marriage had “become more and more substituted for concubinage,” which many critics had previously contended was the norm for slave communities throughout the West Indies.⁵⁵⁶ “Concubinage”, of course, was the typical description for enslaved males’ domestic relations due to the legal status of their spouses, and the main critique for most British abolitionists was the near impossibility in forming a legitimate monogamous union. In this interpretation, the belief of wife-swapping among West Indian and North American slaves was a direct product of the moral decay that came with enslavement.

Many abolitionists realized that despite the differences in the demographics of slavery in the United States and the West Indies both systems hailed from the same legislative paradigms. In comparing American slavery with that of the West Indies, abolitionist Charles Elliot fumed “In the United States the same system of slavery prevails as in the West Indies, and with the same consequences. The total disregard of marriage by the slave system, which leaves the female slaves entirely in the power of their masters, produces licentiousness, among the colored people, of the most corrupting kind.”⁵⁵⁷ If the formerly enslaved populations of the West Indies could embrace Christian matrimony after emancipation, abolitionists in North America promoted the idea that the United States could replicate those results and did their best to highlight the positive benefits of emancipation in the British Atlantic empire. *The National Era*, an abolitionist

⁵⁵⁶ “Jay’s Results of Emancipation in the West Indies,” *Christian Examiner and General Review* (January 1843), 33.

⁵⁵⁷ Charles Elliot, *Sinfulness of American slavery : proved from its evil sources, its injustice, its wrongs, its contrariety to many Scriptural commands, prohibitions, and principles, and to the Christian spirit, and from its evil effects : together with observations on emancipation, and the duties of American citizens in regard to slavery* (Cincinnati: L. Swormstedt & J.H. Power, 1850), 22.

newspaper, reported the improvement of ex-slaves physical, moral, and mental condition was “well established” and argued:

Before emancipation, matrimony had no legal existence among the slaves, and even the nominal marriage, which might be severed at the caprice of the planter, was rare. But no sooner had the negroes become free, than they began to respect themselves too much to remain in that worse than savage social state, and marriage became general.⁵⁵⁸

In this illumination the ex-slave couples could “respect themselves” by claiming ownership over their own bodies through a conscious decision to bind themselves to one another through legal matrimony, forever protecting them from the haunting memories of forcible separation. They were shining examples that marriage was a symbol of civilization, and those nations who continuously hindered large sections of their population from participating in the institution remained shrouded in intellectual darkness.

Slave masters were also privy to various reports on the stability of former slaves in the British colonies. Citing an article from the philanthropist, one southern apologist noted blacks in Jamaica were locked in “the far more fruitful source of juvenile depravity...in the growing neglect of marriage, and consequent prevalence of concubinage, among the poorest classes of the community.”⁵⁵⁹ The account detailed the aftershock of immediate emancipation, suggesting that despite the initial rush to seal their unions legally, a subsequent generation of slaves expressed little concern for matrimony.

⁵⁵⁸ “The British West Indies,” *National Era* (September 13, 1849).

⁵⁵⁹ *The Philanthropist* (April 1, 1858), quoted in W.W. Wright, “Free Negroes in Jamaica,” *Debow’s Review*, 28 (1860): 97.

Unsurprisingly, American slave owners were largely suspicious of the press and used evidence based upon their own field observations in the plantation. Southern masters believed that their sustained contact with the enslaved provided them first-hand knowledge for commenting upon the moral compasses of African-descended slaves. A planter in *Debow's Review* argued against the supposition that emancipation would amend the supposed promiscuity of African Americans, arguing that the "free negroes show a great aversion to marriage...and when they do go through the ceremony, for show-sake...it is an idle form, for they readily separate and take new mates."⁵⁶⁰ By living in the region that was the target of abolitionist criticism, southern planters dismissed the press as "corrupt and entirely devoted to government...the radical or liberal papers, as they call themselves, are the worst, and do all they can to put down the planters."⁵⁶¹ By using observational and experiential evidence to combat abolitionist criticisms southern apologists mounted a relatively stable defense against a group they felt could never understand the relationship that existed between master and slave.

Even if southerners were willing to admit that marriage increased in the newly emancipated colonies, they argued it was more in word, than in deed. John Archibald Campbell of Mobile noted that while marriage rates did increase among the formerly enslaved in the West Indian colonies, the "great dissoluteness in the morals of the females" and the "great ignorance" of black males made these marriages a mockery to Christian society.⁵⁶² Blacks' ignorance of the marital contract was a common theme of

⁵⁶⁰ D. J. McCord, "Practical Effects of Emancipation—Being a View of the Present State of Things in the British West Indies, Part 1," *Debow's Review*, 18 (1855): 489.

⁵⁶¹ McCord, "Practical Effects of Emancipation," 490.

⁵⁶² "British West India Islands," *Southern Quarterly Review* 16 (January 1850), 351, 358. For more on Campbell's Atlantic outlook see Rugemer, *The Problem of Emancipation*, 265-266.

proslavery apologetics, which served to secure their position as educators of western civilization, and not brutal masters. Proslavery writers were unwilling to admit, however, that it was the system itself that prevented slaves from entirely comprehending the legislative sphere of American marriage. Instead, they usually contended that slaves' African heritages rendered them largely incapable of Euro-American conceptions of morality. In John Fletcher's review of the abolitionist writings of William Ellery Channing, Fletcher argued that enslaving Africans and their descendants elevated their moral tendencies, claiming that among Africans "little or no affection exists between husband and wife."⁵⁶³ Similarly, one proslavery apologist contended that for blacks "in their native Africa...without the influence and example of the superior race, polygamy is universal, the affection of the husband being a mere caprice in most cases."⁵⁶⁴ In referencing the accepted generalizations of European writings upon Africa, proslavery apologists were equipped with intellectual propositions that were widely accepted among most Euro-Americans in the nineteenth century.

Intellectual Debate and Shifting Approaches

Slavery's apologists and northern sympathizers often claimed the antebellum system of slavery varied greatly from its seventeenth and eighteenth-century predecessors. Ohio physician Daniel Drake noted in the early 1840s that throughout the

⁵⁶³ John Fletcher, "Review of Dr. Channing on Slavery," *Debow's Review*, 9 (1850): 26. Also see "Chandler Harper's Memoir on Slavery, Part 2," *Debow's Review*, 9 (1850): 618. Also see E.N. Elliot, ed., *Cotton is King and Pro-Slavery Arguments: Comprising the Writings of Hammond, Harper, Christy, Stringfellow, Godge, Bledsoe, and Cartwright, on this Important Subject* (Augusta, GA: Pritchard, Abbott & Loomis, 1860), 593.

⁵⁶⁴ J.H. Van Evrie, *Negroes and Negro "Slavery": The First an Inferior Race: the Latter its Normal Condition* (New York: Van Evrie, Horton & Co., 1863), 239.

slave states he had visited “far more attention is given to the marriage of slaves than in former times...A marriage once made, the relations of husband and wife...although often violated, are far more respected than in days gone by.”⁵⁶⁵ Drake’s observations came during his medical research throughout the South in the mid-nineteenth century, and were largely anecdotes of his own observations. Drake noted the undeniable existence of slave owners’ violations of the marital bond, but suggested the system was gradually reforming itself and was surely preferable to circumstances that existed upwards to thirty years prior. Looking back, it is difficult to verify the validity of Drake’s proposal when one considers that the domestic slave trade piqued by the 1830s and ‘40s, and this event was primarily responsible for the forced separations that frequently characterized the antebellum period. But southerners appeared to have convinced themselves of proposals similar to Drake’s, with many suggesting that meddling abolitionists were doing more harm than good. Slave owner A. J. Roane contended that if the southern states had been “left to their own sense of justice and propriety, and had not been subjected to impertinent interference and insult from abroad, they would long since have modified and mitigated the more rigorous features of their system of domestic servitude.”⁵⁶⁶ Frightened by the dangerous precedent set by the British empire, southern apologists strove to convince outsiders that their system presented no inconsistencies with biblical living, touting an apparent reform to slave marriage as a prime source of evidence in their plans to improve the system.

⁵⁶⁵ Daniel Drake, “Letter 1,” in *Dr. Daniel Drake’s Letters on Slavery to John Warren, of Boston* (New York: Schuman’s, 1940), 21.

⁵⁶⁶ A. J. Roane, “Reply to Abolitionist Objections to Slavery,” *Debow’s Review*, 20 (1856): 652. In a similar contention one planter claimed “until the abolitionists began their nefarious assaults, the South was progressing very rapidly in the moral, spiritual, and physical amelioration of slavery.” See “Religious Instruction of Slaves,” *Debow’s Review*, 26 (1859): 107.

These maneuvers instigated an internal discussion throughout the South on how to best reform the institution, and all agreed that improvements in slave morality were key to maintaining the economic productivity of the institution while simultaneously securing the loyalty of enslaved laborers. While it is difficult to pinpoint an exact date as to when reforms for slave marriage were seriously considered, evidence overwhelmingly points to the decade between 1820 and 1830 as the moment that witnessed increased attention to how masters' approached slave matrimony. In a prize-winning essay on plantation management in 1852, the writer noted that for thirty years he "has been much interested in their [slaves] management...and has therefore been prompted...to try every reasonable mode of management, treatment, living, and labor; and the results of a long experience has fully satisfied him."⁵⁶⁷ Apparently this writer's methods were based upon calculated experimentation of thirty years, ultimately leading to his award-winning conclusions on various topics in slave management, including disciplinary tactics, food allotment, dwelling, and marriage.

Multiple recommendations for slave marriage were produced throughout the South in the 1830s due to an increase in publication venues and a more concerted effort amongst proslavery churchmen to reform the institution without infringing upon the master's absolute authority. In the 1830s publications including the *Farmer's Register* and *Southern Agriculturalist* published multiple suggestions for slave management that included the promotion of marital unions among the slaves, with overwhelming

⁵⁶⁷ Robert Collins, "Essay on the Treatment and Management of Slaves," *Southern Cultivator* 12 (July 1854): 205.

preference for maintaining slaves' domestic relations *within* the plantation.⁵⁶⁸ Similarly, Thomas S. Clay read his suggestions for the moral improvement of enslaved laborers before the Georgia Presbytery in 1833, demanding that masters encourage marriages, forbid "injudicious connexions" among their slaves, and make sure to be present at the ceremony to demonstrate his interest in their union.⁵⁶⁹ To ensure these goals came to fruition Clay recommended a hierarchical chain of command when dealing with domestic issues among slaves, progressing from the driver to the overseer and ending with the master as final authority. The recommendations were essentially promoting a plantation system that was regulated by specific rules that consolidated a unified plantocracy throughout the South. While humanity was a likely reason for the changes, the threats from outside forces demanded that slave owners promote their system through a front that was more progressive than one solely based upon driving black laborers for profit. It was now attempting to portray itself as an institution that promoted the intellectual and moral improvement of Africa's descendants.

Northern abolitionists largely recognized that slave owners had at least portrayed their system through a different light, though they remained unconvinced the institution was humane by nineteenth-century standards of enlightened society. However, the myriad observations of European and non-slaveholding Americans that observed slave

⁵⁶⁸ A Planter, "Notions on the Management of Negroes, &c.," *Farmer's Register* 4 (December 1836): 494-95; A Planter, "Notions on the Management of Negroes, &c.," *Farmer's Register* 4 (January 1837): 574-575; An Overseer, "On the Conduct and Management of Overseers, Driver, and Slave," *Southern Agriculturalist*, 9 (May 1836): 225-231; B. McBride, "Directions for Cultivating the Various Crops Grown at Hickory Hill," *Southern Agriculturalist*, 3 (April 1830): 175-177; B. McBride, "Directions for Cultivating the Various Crops Grown at Hickory Hill," *Southern Agriculturalist*, 3 (May 1830): 237-240; "On the Management of Slaves," *Southern Agriculturalist*, 6 (June 1833): 281-287.

⁵⁶⁹ Thomas S. Clay, *Detail of a Plan for the Moral Improvement of Negroes on Plantations. Read Before the Georgia Presbytery* (Printed at the Request of the Presbytery, 1833), 15-16, University of Virginia Special Collections.

weddings in their travels throughout the South in the antebellum period were convincing enough for many to forego claims that slaves were devoid of Christian ritual. While keen observers understood that such weddings were only conducted among a tiny selection of favored slaves, the southern offensive was still difficult to overcome. Instead, abolitionists aimed their assault upon the institution through appeal to Christian sensibilities, concentrating much of their energy upon the forcible separation of enslaved spouses by greedy masters. If southerners' arguments were true, then slaves who were forcibly separated had engaged in a Christian service, which they argued was a direct affront to the Christian religion. The Rhode Island Anti-Slavery Convention called upon "the Professing Christians of Rhode Island" to note that the "most revolting feature in this system is its nullification of the marriage covenant...no slave can enjoy the legal blessings of matrimony; but is at the entire disposal of his master in this respect."⁵⁷⁰ The domestic slave trade that carried one million men, women, and children from the border-states into the deep south was easily the most problematic aspect of the institution to defend, in that it forcibly separated families, many of which were apparently married in Christian ceremonies.⁵⁷¹ Abolitionists in Kentucky used slave marriage to note that a southern master's God-complex treaded dangerously close to blasphemy: "He may say to the slave: God has joined you to another in marriage; but the law gives me authority

⁵⁷⁰ Rhode Island State Anti-slavery Convention, "Address to the Professing Christians of Rhode-Island," *Proceedings of the Rhode-Island Anti-Slavery Convention, Held in Providence on the 2d, 3d, and 4th of February 1836* (Providence: H.H. Brown, 1836), 61.

⁵⁷¹ Sociologist Wilbert Moore called the denial of legal marriage the subject "most often pointed out by the abolitionists" in Wilbert Moore, *American Negro Slavery and Abolition: A Sociological Study* (New York: Joseph Okpaku Publishing Company, 1971), 101.

superior to that of God.”⁵⁷² Even northern Professor Ethan Allen Andrews more moderate approach to alleviating the slave trade noted that the separation of husbands from wives and children from parents was an inexcusable feature of the southern institution, and contended these actions needed to be done away immediately: “if the system cannot exist with this innovation, it ought not be tolerated for a single hour.”⁵⁷³

Abolitionists from both Britain and the Northeast, however, continued to push the issue of slavery using marriage a main focal point for their arguments. The international publication *The Anti-Slavery Reporter* continually ran articles discussing the inability of southern slaves to marry and its multiple repercussions for the moral development of black slaves, including the perpetuation of polygamy and an undeveloped respect for domestic ties.⁵⁷⁴ The highly politicized question of slave marriage was a useful platform for abolitionists, because it intersected with ideas of social justice and legislative reform. Northern intellectual Theodore Parker argued that if slaves were human they were entitled to the “unalienable rights” that came with the designation, and cited the circumstances of slavery in Turkey, medieval England, and ancient Rome as the more progressive institutions since the United States was the only place of the four where a slave could not legally contract marriage.⁵⁷⁵ Perhaps even worse, critics feared that slaves could never fully appreciate Christianity due to the master’s disregard for their marriages.

⁵⁷² “Sacredness of the Marriage Tie,” *The National Era* (August 23, 1849). Quoted from the *Louisville Examiner*.

⁵⁷³ Ethan Allen Andrews, *Slavery and the Domestic Slave Trade in the United States. In a Series of Letters Addressed to the Executive Committee of the American Union for the Relief and Improvement of the Colored Race* (Boston: Light & Stearns, 1836), 193.

⁵⁷⁴ W.S. Streeter, “Marriage Among Slaves,” *The Anti-Slavery Reporter: Under the Sanction of The British and Foreign Anti-Slavery Society*, 1 (April, 1846): 53.

⁵⁷⁵ “Letter of Theodore Parker. Of Massachusetts. To the People of the United States,” *The National Era* (February 17, 1848).

Henry Ward Beecher was horrified at the existence of polygamy among church-going slaves throughout the South and blamed the frequency of spousal changing upon the slaves' lax moral development. Most of all, he vociferously criticized the southern argument that the separation of slaves was a rare occurrence: "It is false! It is false! There is not a slave mart that does not bear testimony, ten thousand times over, against such an assertion." An anonymous writer to the *Louisville Examiner* argued slaves "must be considered either human beings or beasts," arguing that the present law categorized them on a similar plane as "hogs and dogs...but whoever ranks them above the tenants of the sty and kennel must see that the law is in opposition to Almighty God."⁵⁷⁶

Abolitionists were fully aware that the Bible sanctioned slavery, as proslavery apologists often reminded them that both the Mosaic Law condoned slave holding and the Apostle Paul admonished slaves to be obedient to their masters in many of his letters included within the canonical New Testament.⁵⁷⁷ Abolitionists' most forceful arguments were usually in the areas of enlightenment concepts of natural law, human rights, and the natural goodness of all humans. Historian John McKivigan argues, however, that this "humanitarian philosophy" conflicted with Calvinist views on the fallen state of man and "ignored evidence of moral corruption visible in almost every aspect of society."⁵⁷⁸ It was thus difficult to categorize slave holders as "sinners", since slaveholding was endorsed as not only a biblical institution, but was also endorsed by Christian

⁵⁷⁶ "Sacredness of the Marriage Tie," *The National Era* (August 23, 1849). Quoted from the *Louisville Examiner*.

⁵⁷⁷ David M. Carr and Colleen M. Conway, *An Introduction to the Bible: Sacred Texts and Imperial Contexts* (Malden, MA: Blackwell Publishing, 2010), 252.

⁵⁷⁸ John R. McKivigan, *The War Against Proslavery Religion: Abolitionism and the Northern Churches, 1830-1865* (Ithaca, NY: Cornell University Press, 1984), 31.

philosophers like Church Father Augustine of Hippo and medieval theologian Thomas Aquinas.⁵⁷⁹ Using a mixture of Christian precepts, humanitarianism, and appeal to enlightenment philosophy, abolitionists hoped to show that through an appeal to the inconsistencies between American law and Christian tenets that slavery remained an embarrassing reminder of the inability for the United States to progress beyond archaic institutions.

The disregard for enslaved marriages and family structures featured prominently in abolitionist discourse. For most Americans the legal separation of wives from husbands, and children from parents, illuminated the slave system's blatant disregard for the religious principles upon which marriage was based. Even more significantly, haunting images and descriptions of slave unions falling prey to the economic desires of their owners were highly efficient in stirring up emotions. Kentucky-born Abolitionist James A. Thome wrote his friend Theodore Weld in 1838 concerning the separation of slaves within abroad marriages, citing a case in which a wife died upon one plantation and her husband, enslaved on another plantation witnessed his children "hurried away from him, where he will probably not see them once a year, or it may be during his life time."⁵⁸⁰ By pointing to the anonymous owner's economic motives as the primary basis for the separation Thome depicted the components of American slavery that were blatantly anti-Christian and inconsistent with a slave's inherent human rights.

⁵⁷⁹ Murphy, *Jesuit Slaveholding*, 147-148.

⁵⁸⁰ "James A. Thome to Weld," in *Letters of Theodore Dwight Weld, Angelina Grimke Weld, and Sarah Grimke, 1822-1844*, volume 2, eds. Gilbert H. Barnes and Dwight L. Dumond (New York: Da Capo Press, 1970), 645.

Abolitionists even attacked the particular rituals that were associated with slave wedding ceremonies. While a number of publications revealed that visitors to the South were generally impressed with the lavish slave weddings that they witnessed, others became particularly critical of the folk customs that became popular among slaves in the antebellum South.

Two depictions of the broomstick wedding illustrate this point effectively. The image released by northern abolitionist Emily Clemens Pearson first appeared in an anti-slavery novel based upon the author's yearlong sojourn in antebellum Virginia. In the image a female slave is shown sobbing while her mistress is prepared to strike her with a shoe. The text of the story reveals that the female slave, Mima, initially refused to jump over the broomstick when told to do so by her mistress Rosalie, leaving Juniper (the male slave) left in bewilderment. Pearson was illustrating a moment when slaves were forcibly married to one another, and in this case it was the female who suffered most. The prospective husband, Juniper, is shown standing erect and dignified, which suggests he was likely partially responsible for securing Mima as his bride against her will. After her mistress slaps her ear amidst a flurry of curses Mima reluctantly jumps over, but exclaims "It's des' no marrying 'tall, to jump over de broomstick," which prompts her mistress to chastise her once again: "Shut up, its more than you deserve!"⁵⁸¹ Mima ultimately succumbs to the system through the mistress' violent actions and abusive language, but her initial decision to not jump over demonstrated a contestation of the enslaved system and her realization that marriage denoted the imbalance of power and authority upon the

⁵⁸¹ Emily Clemens Pearson, *Cousin Franck's Household: Or. Scenes in the Old Dominion* (Boston: Upham, Ford and Olmstead, 1853), 169.

plantation. Through the eyes of an abolitionist, marriage was one of the more revealing elements of exploitation within the southern system.



FIGURE 6.1; A Broomstick Wedding. Originally in Emily Clemens Pearson [pseudo. Pocahontas], *Cousin Franck's Household: Scenes in the Old Dominion* (Boston: Upham, Ford, and Olmsted, 1853), 168-169; Image Reference BROOM, as shown on www.slaveryimages.org, sponsored by the Virginia Foundation for the Humanities and the University of Virginia Library.

Pearson used Mima's character to suggest that the broomstick wedding was an inferior form of matrimony, and it is revealed later in the text that Rosalie had originally planned to provide a lavish wedding on the porch replete with an ordained minister if Mima was obedient to her command to marry Juniper. Since she initially refused Juniper earlier in the novel, she was punished with what some considered a ceremony reserved for the less civilized populations. This point was recognized by another abolitionist writer Mary Rice Livermore, who spent about three years on a Virginia plantation as a schoolteacher for the planter's children. Through illustrations and verbatim quotations

Livermore's account provides a thorough record for the social and cultural lives of enslaved Virginians. Her drawing entitled "The Broomstick Wedding" is a striking contrast to the aforementioned illustration given by Pearson. In this rendition Livermore portrays the slave community performing the marriage autonomously, with an enslaved elder named "Uncle Aaron" presiding over the ceremony. Within the account, Livermore noted that Uncle Aaron was a man endowed with special gifts of healing and conjure that along with his age accorded him the respect of the slave community. After two friends of the couple held the broom off the ground Uncle Aaron asked God to have mercy on their souls and counted to three before imploring them to jump over the object.

While Livermore was rather impressed with the resiliency of the enslaved, she was critical of the entire event since slaves could not legally maintain their marriages if the master decided to separate them. However, a quote she attributed to Uncle Aaron is particularly important for understanding the meaning the ceremony held for the slaves who used it: "De fiel' han's am willin' t' jump de broomstick, but when de house sarvans gwine t' marry, dey wants a white preacher...but de broomstick's jess as bindin' as de preacher."⁵⁸² This revelation suggests that slaves defined their social stratifications along similar lines as their antebellum white counterparts, in that the pomp and display of their social gatherings denoted their position within the society. Similar to the British discourses that deemed this ceremony as one reserved for society's undesirable populations, both of these northern female abolitionists intentionally employed the broomstick ceremony to denote the problematic circumstances that existed among slaves

⁵⁸² Mary A. Livermore, *The Story of My Life; Or, the Sunshine and Sorrow of Seventy Years* (Hartford, CN: A.D. Worthington and Co., 1899), 256.

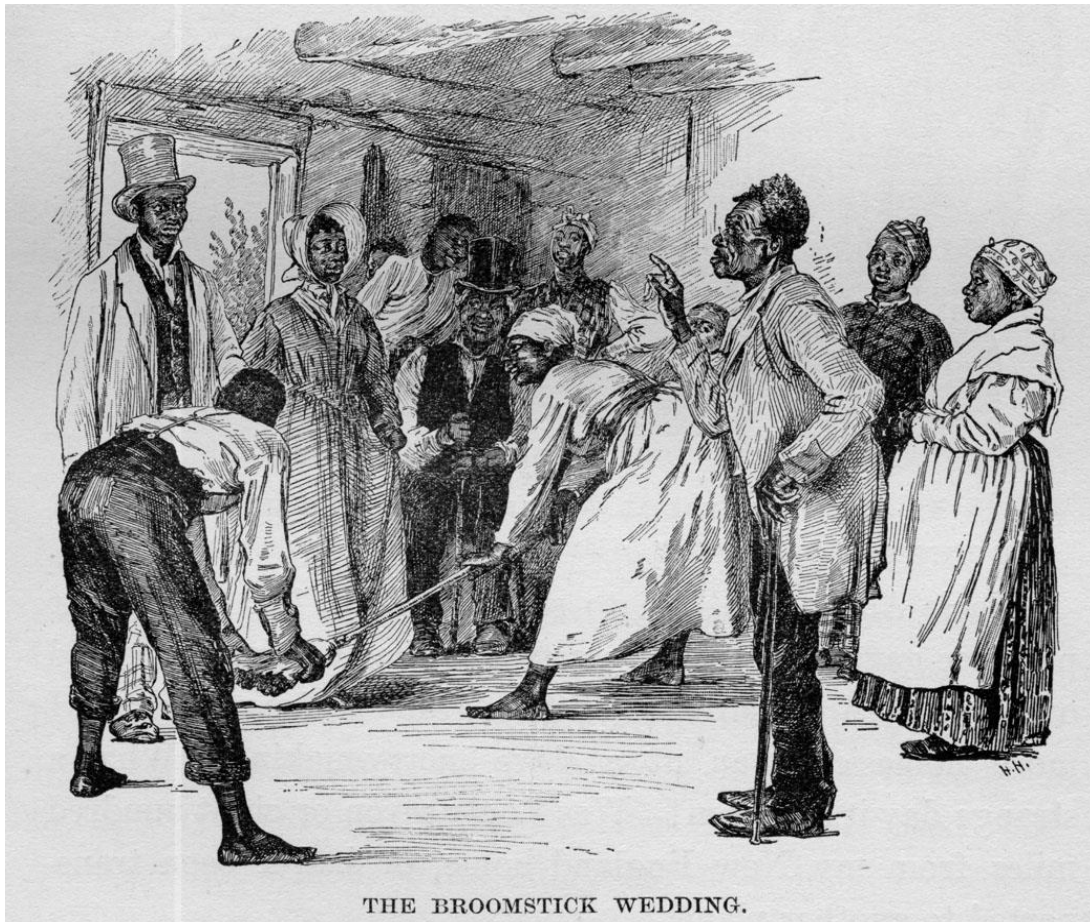


FIGURE 6.2 “The Broomstick Wedding. Source: Mary Ashton Rice Livermore, *The Story of My Life* (Hartford, 1897); p. 257; Image Reference Livermore257, as shown on www.slaveryimages.org, sponsored by the Virginia Foundation for the Humanities and the University of Virginia Library.

in the antebellum South. From the perspective of ritual performance, however, Uncle Aaron’s statement suggests that field hands, the group that comprised the bulk of antebellum slaves, embraced the ceremony and reinvented it through their own creative reimagining of the custom. Despite what others thought, the field hands who employed it understood its symbolic value and used the time reserved for the wedding as a communal gathering to celebrate the couple who embraced the marital rite.

Southern apologists struck back with arguments that rested upon comparative examples and scientific observation. The notorious proslavery apologist George Fitzhugh actually used the broomstick wedding as a way to criticize the debauched circumstances

of poor northern families: “The people of our Northern States, who hold that domestic slavery is unjust and iniquitous, are consistent in their attempts to modify or abolish the marriage relation. Marriages, in many places there, are contracted with as little formality as jumping over a broom, and are dissolved with equal facility by courts and legislatures.”⁵⁸³ In this example Fitzhugh suggested that slaves lived superior moral lives than those in the industrial North, and that the sanctimonious rhetoric of northern abolitionists should have turned inward and viewed the problems that plagued their own society. Other apologists questioned the very nature of how marriage was defined by American law, and demonstrated that it held an inconsistency that transcended beyond enslaved people. Fletcher used the example of a criminal convicted of a life sentence, arguing that most Americans would not agree that “he cannot receive such a sentence, because it will interfere with the marriage contract, and, therefore, be in violation of the laws of God.”⁵⁸⁴ In criticizing the circumstances that also affected white families, defenders of the peculiar institution attempted to suggest that slave owners were, perhaps, not so tyrannical after all.

Numerous others published their findings in the leading agricultural journal *Debow's Review*. A. J. Roane, for instance, dismissed northern accusations of the slave owner's tendency to forcibly separate enslaved spouses by arguing that any such instance was an “accident” produced through the institution, citing that slavery could continue without such occurrences. He even cited a reform measure enacted by a slave state (likely North Carolina) that would provide for the legal protection of slave marriages, and

⁵⁸³ George Fitzhugh, *Sociology For The South, Or The Failure of Free Society* (Richmond, Va.: A. Morris, 1854), 216.

⁵⁸⁴ John Fletcher, *Studies on Slavery, in Easy Lessons, Compiled into Eight Studies and Subdivided into Short Lessons for the Convenience of Readers* (Natchez: Jackson Warner, 1852), 37-38.

argued that while “it may not be enacted now...it will be enacted at some future period throughout all of the southern states.”⁵⁸⁵ Slavery apologist Chancellor Harper retorted against his northern opponent’s claim that marriage did not exist among slaves, citing that they held no tangible proof: “It is difficult to understand this, unless willful falsehood were intended. We know that marriages are contracted...and often faithfully adhered to during life.”⁵⁸⁶ In answering the common critique of forced spousal separation, Harper used a legal argument: “if a man abandons his wife, being without property, and being both property themselves, he cannot be required to maintain her. If he abandons his wife, and lives in a state of concubinage with another, the law cannot punish him for bigamy.”⁵⁸⁷ Harper concluded that the law of slavery operated as far as it was necessary and the complications that went into providing slaves a legally protected marriage were inconsistent with the way the institution was intended to function. In essence, neither slaves nor their masters were ready to make the appropriate adjustments.

Other contributors took less apologetic tones and simply reported upon their discoveries as they would with other agricultural innovations. Contributors guised their writings as those of genuine concern, but many of their claims appeared more likely to serve the needs of masters who hoped to retain their authority upon the plantation. “It is the duty of Christian masters,” one planter argued, “to promote virtuous and fixed attachments between the sexes...A marriage supper is often given...and when once consummated by the master’s permission, all the mutual rights it confers should be protected by his authority. Leaving one wife and taking another, should not be

⁵⁸⁵ Roane, “Reply to Abolition Objections to Slavery,” 652.

⁵⁸⁶ “Chancellor Harper’s Memoir on Slavery,” *Debow’s Review*, 9 (1850): 498.

⁵⁸⁷ “Chancellor Harper’s Memoir on Slavery,” *Debow’s Review*, 498.

allowed.”⁵⁸⁸ In this formula, the master’s interjection served as a reminder to the slaves who actually controlled the domestic relations. In a similar recommendation, another contributor concluded that preservation of slaves’ familial relations was one of the most important factors of plantation management: “It would no doubt be an excellent arrangement to the cause that the marriage ceremony be carefully celebrated among them—it should be done by a white man—and whenever a separation takes place, they should be made responsible.”⁵⁸⁹ The latter component was especially important for alleviating a master’s potential guilt at the separation. The author concluded that the separation of spouses was a legitimate action by the owner, but it should only occur in the event of a slave’s “misconduct”, or “in a case of misfortune upon the part of the owner.”⁵⁹⁰ The seeming contradiction of promoting slave matrimony while admitting the relation could be torn asunder made sense to most apologists, as they contended that most forcible separations were an unfortunate development within the slave system that could never be entirely eradicated. The fact that slaves were allowed to engage a marriage union seemed to provide enough evidence of the system’s paternal nature.

In addition to providing a useful apologetic for response to abolitionism, slave owners generally viewed the successful introduction of Christian marriage as a positive benefit for securing the loyalty of the labor force, and many used force to promote conformity. An anonymous contributor to *Debow’s Review* dedicated a section of his article “Management of Slaves” to recommendations for slave marriages. The article

⁵⁸⁸ J.D.B. De Bow and Henry N. McTyeire, “Plantation Life—Duties and Responsibilities,” *Debow’s Review*, 29 (1860): 362.

⁵⁸⁹ “Religious Instruction of Slaves,” *Debow’s Review*, 26 (1859): 108.

⁵⁹⁰ “Religious Instruction,” *Debow’s Review*, 108.

promoted a racialistic vision of slaves' marital proclivities, concluding "they cannot live together as they ought, and are constantly liable to separation in the changing or property...they usually have but little ceremony in forming these connections; and many of them look upon their obligation to each other very slightly."⁵⁹¹ The author makes an interesting notation concerning the looming possibility of spousal separation at the master's behest, and honestly claimed that it could happen for no other reason than a master's need for changing property. The article's racialized conclusion that slaves were generally unable to maintain monogamous fidelity likely softened the blow for its readers, as it provided an excuse for the dehumanizing experience of forced separation that had come under fire from an increasingly assertive abolitionist movement.

The notion that slaves should marry upon their own estates was a popular opinion among numerous elite slave holders. The 1852 publication *Plantation and Farm Instruction, Regulation, Record, Inventory and Account Book*, a journal popular among antebellum planters for tracking the agricultural production of their own estates, provided detailed suggestions for plantation management, including suggestions for upkeep of crops, cattle, and slaves. *Plantation and Farm Instruction* advocated for strict discipline as well as kind treatment, encouraging masters to introduce a type of rewards system for slaves who performed particularly well. It was clear, however, that slaves were generally discouraged from marrying off the plantation, which provided masters significant advantages in controlling the institution of slave marriage. Indeed, in his journey throughout the slave states northern architect Frederick Law Olmsted he noted that "large planters generally do not allow their negroes to marry off the plantation to which they

⁵⁹¹ "Management of Slaves," *Debow's Review*, 17 (1854): 425.

belong.”⁵⁹² Olmsted interpreted the proscription as a way for the master to feed their own interests and conveniences. Slave owners like William Cabell claimed the practice was attributed to the notion that forced separation was a realistic expectation for most enslaved couples, and residing apart from one another rendered their marriages more susceptible to fracture, along “with other evils and inconveniences.”⁵⁹³ Such “other evils and inconveniences” are not specifically disclosed, but one can surmise that slave owners believed that enslaved males were privy to sneak out to their spouse’s quarters during the night, an action strictly forbidden under southern slave laws.

Louisiana slave owner Bennet H. Barrow’s own plantation rules drafted in 1838 stated that there were six main dangers associated with enslaved men and women who married “indiscriminately” of the plantation, all of them revolving around the notion that they were outside their master’s control and became “accustomed to different treatment” when visiting elsewhere for extended periods.⁵⁹⁴ Equally, masters feared that their enslaved laborers would be sapped of their energy if they were frolicking throughout the night instead of resting for the labors of the next day.⁵⁹⁵ The idea that a specific manual was released recommending how to govern slaves, alongside cows, sheep, and chickens, is a strong indicator of the binary nature of a slave’s existence in the nineteenth century.

Their humanity was fully realized in the notion that marital ceremonies were

⁵⁹² Frederick Law Olmsted, *A Journey in the Back Country* (London: Sampson Low, Son & Co., 1860), 69.

⁵⁹³ The journal quoted is William D. Cabell’s Journal, 1857, Box 13, Cabell Family Papers, University of Virginia Special Collections. This publication held multiple additions, all of which held the same instructions for the marriages of slaves. For the second edition of 1861, see Tayloe Family Papers, 1650-1970, Section 287, Virginia Historical Society.

⁵⁹⁴ Edwin Adams Davis, ed., *Plantation Life in the Florida Parishes of Louisiana, 1836-1846, as Reflected in the Diary of Bennet H. Barrow* (New York: AMS Press, 1943), First quote 407, Second quote 408.

⁵⁹⁵ This notion was discussed among slave owners in the West Indies, see Higman, “The Slave Family,” 270.

recommended, but their identity as laborers whose monetary value was linked to their production rendered them similar to draft animals and other beasts of burden. For white southern apologists the recognition of a slave marriage, even if it was only temporary, was an important indication that slaves were of a higher nature than animals, but were never the intellectual or moral equals of their white contemporaries.

The arguments usually rested upon the apparent successes of those who had attempted the introduction of slave marriage in the past, and some reported varying degrees of success. An anonymous “Mississippi Planter” reported in *Debow’s Review*: “As to their habits of amalgamation and intercourse, I know of no means whereby to regulate them, or restrain them; I attempted it for many years by preaching virtue and decency, encouraging marriages, and by punishing...departures from marital obligations; but it was all vain.”⁵⁹⁶ The scientific tone of this writer’s practical knowledge of plantation management reveals the strange dichotomy in the southern mind of viewing slaves as both human beings and movable property. Like cattle, slaves were encouraged to mate and promote the increase of the labor force. However, slaves possessed the ability to consciously defy the master’s proscriptions, and in this case the master ultimately decides they are better left to their own devices in the marital process. Interestingly, no advice is sought in this piece upon alleviating the problem, but the Mississippi planter abruptly concludes the section before moving on to his other suggestions on how to ensure the continuous productivity of the labor force. The tract was geared toward promoting the notion that slaves were generally incapable of following the prescriptions of Christian matrimony, but forewent any explanation as to why.

⁵⁹⁶ A Mississippi Planter, “Management of Negroes Upon Southern Estates,” *Debow’s Review*, 10 (1851): 623.

The personal recordings of various planters reveal a few tactics that met with some success, at least in regards to encouraging a few slaves to marry. It is important to note that according to plantation records the majority of slaves did not participate in the Christian ceremony. From the planter's perspective the expenses of the wedding would have been costly if every slave desired the same level of ceremony, in addition to the fact that it was likely used as a type of reward for good behavior. Some masters instituted a wedding gift as an additional incentive for slaves who demonstrated obedience to the regulations of plantation labor. The plantation diary of Richard Eppes reveals how such rewards were stratified by laborer. In 1852 he recorded that his laborer "Crocodile" requested that Eppes "allow him to have Sally Thompson for a wife, gave my consent & gave him \$5 for good behavior. Jim asked permission ditto for Nancy Lewis, consented, & and gave him \$2.50 as wedding present."⁵⁹⁷ It is unknown why Crocodile received a larger gift than Jim, but it appears most likely that Crocodile had previously accomplished significant advancements in his productivity. Eppes had earlier recorded his attempts at curing Crocodile of his chronic drunkenness.⁵⁹⁸ This intervention reveals that Crocodile held significant, perhaps irreplaceable, skills that encouraged Barrow to reform Crocodile's moral malady rather than selling him as a troublesome slave. Later on in his diary, it is even more apparent that Eppes rewarded his laborers by merit rather than a static allotment of sums. The annual Christmas presents of 1855 reveal that Crocodile might have slipped into his old habits, as he only received \$1.00 compared to the \$5.00 rewards that two brothers William and Charles Lewis received, as well as

⁵⁹⁷ Sunday, January 17th, 1852, Richard Eppes Diary, Sept. 29, 1851-March 11, 1852, Virginia Historical Society.

⁵⁹⁸ Oct. 15th, 1851, Richard Eppes Diary, Sept. 29, 1851-March 11, 1852, Virginia Historical Society.

enslaved laborer John Bird who received \$5.00 as a wedding gift. In one of the most noteworthy gifts, a slave named Solomon received a substantial \$10.00 promised him for “good sawing”.⁵⁹⁹ Tracking Crocodile’s gradual decline reveals how the institution of rewards and incentives transformed the governing of the southern plantation in the nineteenth century, with particular emphasis upon encouraging slaves to strive to mirror the marital ceremonies of the southern white elite.

Southern churches found themselves in the middle of these debates, but found resolutions particularly difficult due to the presence of powerful planters among their congregants. Many ministers unfamiliar with the system felt particularly underprepared to deal with slaves seeking remarriage after their spouses were separated from them through the master. Methodist minister John Dixon Long recalled one particular exchange that left him unsure of his position. Long was approached by two slaves seeking marriage by a minister, but Long was perplexed that he was faced with a case in which the spouses were separated for a reason other than adultery. Following the spirit of the law Long married the couple, but immediately questioned his actions: “Did I do wrong? I fear I did. If I had refused, the man would have lived with the woman, and I should have laid a burden of temptation on him that the church would not have touched with her little finger.”⁶⁰⁰ Beyond the concerns of slaves southern ministers were usually more concerned with handling their own parishioners.

⁵⁹⁹ The entries are recorded on Sunday, March 16, 1856, Richard Eppes Diary March 12, 1854, Oct. 24, 1855-Dec. 31, 1857, Virginia Historical Society.

⁶⁰⁰ John Dixon Long, *Pictures of Slavery in Church and State; Including Personal Reminiscences, Biographical Sketches, Anecdotes, etc. etc. with an Appendix, Containing the Views of John Wesley and Richard Watson on Slavery* (Philadelphia: The Author, 1857), 210.

Elite parishioners, usually slave owners, were largely unwilling to relinquish any control over their property, causing church manifestos touching upon the subject of slave matrimony to hold very little authoritative weight. But in order to combat the valid criticism of their northern counterparts, various southern churches and synods addressed the issue of slave matrimony through official declarations. In the early nineteenth century the Sandy Creek Baptist Association of North Carolina concluded that “owners of slaves should use all reasonable and lawful means to prevent them from being separated. To effect this, they should put themselves to some inconvenience, in buying, selling, or exchanging, to keep them together. Both moral obligation and humanity demand it.”⁶⁰¹ The appeal did not directly address slaves, but promoted the notion that slave owners must exercise fiscal conservatism to prevent the rupture of a sacred tie. The request was unheeded, however, as the domestic slave trade increased significantly from 1820-1860. Facing the ever-present problem of slave couples forcibly separated by their masters, Big Stevens Creek Baptist Church in Edgefield, South Carolina promoted the notion that within these circumstances “slaves are at liberty to take other mates.”⁶⁰² Thus, by the early nineteenth century southern churches were willing to bend traditional divorce laws to favor the unique circumstances of American slaves, though they found these issues were quite complicated and could never satisfy all parishioners.⁶⁰³

⁶⁰¹ George W. Purefoy, *A History of the Sandy Creek Baptist Association, from its Organization in A.D. 1758 to A.D. 1858* (New York: Sheldon & Co., Publishers, 1859), 84.

⁶⁰² Quoted in Orville Vernon Burton, “Revisiting the Black Matriarchy,” in *Dixie Redux: Essays in Honor of Sheldon Hackney*, eds. Raymond Arsenault and Orville Vernon Burton (Montgomery, AL: NewSouth Books, 2013), 142.

⁶⁰³ The question of the differences in white divorce laws and slave divorce laws has been pursued by a few scholars viewing regional issues. See Cornelius, “Slave Marriages,” 138-139; Burton, *In My Father’s House*, 11, 136-137, 157, 160, 166-167.

The Presbyterian Synod of Kentucky addressed the issue in 1836 by arguing that slavery was responsible for the perpetuation of “licentiousness” among slaves and that their “quasi marriages” were dissoluble at the master’s will.”⁶⁰⁴ The synod cited the notable explorers Mungo Park and Richard Lander’s notes on Africa to provide evidence that peoples of African descent were inherently inclined to view the marriage contract as sacred and indissoluble, but slavery had rendered their American-born descendants incapable of the same inclinations. If slave owners continued on their path of expanding slavery, the synod warned their path would be an “insult to God.”⁶⁰⁵ However, despite the thunderous tone the warnings of the Kentucky synod read more like appeals to masters’ sympathies than legitimate warnings of divine retribution. Without the adjustment of the law, slave owners were not obligated to follow the prescriptions of southern churchmen.

Southern ministers throughout the South continued in their campaigns, but similar to their British Atlantic predecessors their arguments could do very little to ameliorate the system without infringing upon the legally-protected rights of the master class. An 1846 meeting of the “New School Synod of Missouri” declared the marriage relation was of divine sanction regardless of race, and the marriages “among the blacks should be solemnized with the same rites as among the whites, and the forcible separation of husband and wife...is a violation of the rule laid down by Christ.”⁶⁰⁶ A commentator of this declaration, however, expressed skepticism over the measures effectiveness to mete out any legitimate change, and cited another meeting in St. Louis that placed heavier

⁶⁰⁴ A Committee of the Synod of Kentucky, *An Address to the Presbyterians of Kentucky, Proposing a Plan for the Instruction and Emancipation of their Slaves* (Newburyport: Charles Whipple, 1836), 15.

⁶⁰⁵ A Committee of the Synod of Kentucky, *An Address*, 35.

⁶⁰⁶ “Slavery in Missouri,” *Christian Reflector* (December 17, 1846).

restrictions on slave gatherings and education. The morose tone of the editorial concluded with a reference to the situation in one of the oldest, and most important, slave states in the Union: “How must the spirit of oppression, as we know it, rankle in the chivalrous State of South Carolina, and in other regions of its ancient strength!”⁶⁰⁷ South Carolina churchmen would certainly respond, but timing and efficacy plagued any legitimate attempts to alter the status quo.

In 1858 a special committee appointed by the Protestant Episcopal Convention of South Carolina garnered national attention as they used a scriptural argument to analyze how religion and secular law could be used simultaneously by righteous masters. The lengthy pamphlet drafted numerous resolutions, but can primarily be summarized by the third:

That the power over the slave, which is conferred upon the master by the law of land, should be exercised by every Christian, in conformity with the law of God; and therefore, every Christian master should so regulate the sale or disposal of a married slave, as to not infringe the Divine injunction forbidding the separation of husband and wife.⁶⁰⁸

The committee essentially drew a similar conclusion as their predecessors, arguing it was morally wrong to separate enslaved spouses and promoted the idea that slaves could remarry if they were forcibly separated and saw no possibility of reunion. Why the church of South Carolina decided to reserve their “sound judgment” until the late-1850s

⁶⁰⁷ “Slavery in Missouri,” *Christian Reflector* (December 17, 1846).

⁶⁰⁸ *Report of the Special Committee Appointed by the Protestant Episcopal Convention, at its session in Episcopal Church Diocese of South Carolina. Special Committee on the Duty of Clergymen in Relation to the Marriage of Slaves* (Charleston, SC: Walker, Evans 1859), 7-8 in South Carolina Historical Society Archives. Also see “Slave Marriages,” *National Era* (June 2, 1859); “Marriages Among Slaves in South Carolina,” *The African Repository* (November 1859), 35, 11.

is not disclosed. The decision, of course, was largely ineffective due to its poor chronological timing, but it does suggest how heavily the issue weighed upon the minds of southerners who could no longer reconcile the existence of an institution that so openly disregarded the sacred obligations of marriage, even among slaves.

Even outside of public declarations white southerners and visitors to their region mused upon the situation of slave matrimony through both hearsay and personal observation. Numerous apologists and opponents staked their claim as authorities in calibrating the morality of the antebellum institution, using both anecdotes and intellectual assessments of slave marriage as their primary tools in assessing the moral degrees of southern slavery. While Emily West and other historians note that descriptions of slave marriages from white perspectives often depict the ceremonies of favored, domestic slaves, these records remain important in analyzing how antebellum masters responded to the changes wrought by the rise of transatlantic abolitionism.⁶⁰⁹ Placing their comments upon slave matrimony within the context of systematic reform from the pressures wrought by transatlantic events make these sources immensely valuable in understanding slave marriage from intellectual and cultural perspectives in early America.

While the concept of paternalism was, more often than not, more a theory than a practice, proslavery apologists used descriptions of plantation-sponsored slave weddings as a frontal defense against critics of the institution. Former plantation mistress Susan Smedes wrote of Mississippi slave weddings as grand affairs where the bride “expected”

⁶⁰⁹ West, *Chains of Love*, 9-10. Other scholars who have examined marriage in white sources in comparison with black sources include Stevenson, *Life in Black and White*; Schwartz, *Born in Bondage*, 16.

numerous gifts, compliments, and a marriage service performed by one of the “young masters”.⁶¹⁰ Smedes created for her reader a perfectly crafted paternalistic setting detailing a honeymoon phase bestowed upon the newly wed couple accompanied by the coveted benefit of bounteous feasts that followed the ceremony. Even the white children frequently skipped to the slave quarters with “a new-laid egg or two” as a gift to present the slaves when they desired to visit.⁶¹¹ The setting depicted a scenario in which the slave’s expectations were met by their white patrons for purposes that solely focused upon cross-racial kinship and family, while maintaining the racial status quo. Of course, controlling slaves’ sex customs was a paramount feature of plantation slavery.

The Planter’s Authority in Slave Marriage and Courtship

The notion of giving permission to enslaved couples was a significant feature of the owner’s power within the plantation. The “permits” provided by the masters strongly indicate this dynamic, particularly in how the message was conveyed. Masters like J.G. Henry of Leonardtown, Maryland simply stated “My man Josiah Hudson has my permission to get married.”⁶¹² Henry’s permission slip contained a brief message, revealing his likely indifference for the entire affair. In contrast, other masters and mistresses provided more detailed information, suggesting their more assertive roles in

⁶¹⁰ Susan Dabney Smedes, *Recollections of a Southern Planter* (Baltimore: Cushings & Bailey, 1887), 78.

⁶¹¹ Smedes, *Recollections*, 79.

⁶¹² “J.G. Henry, April 27th, 1854,” Box 7, Folder 5, The Maryland Province Collection, Georgetown University Special Collections Research Center; (hereafter GU-SCRC). Also see “William I. Eden, July 29, 1832,” Box 7, Folder 6, The Maryland Province Collection, GU-SCRC. Although numerous such documents are typically brief, other masters usually listed the name of the female servant in their permission notices, signifying that the slave had to reveal some specificity in their request: “W.C. Scott to Mrs. Francis Cabell, December 23rd, 1860,” Cabell Family Papers, mss. 5084, Box 4, University of Virginia Special Collections

slave courtship and matrimonial practices. In the records of Georgia governor Jacob Irvin, a notice from slave owners “Fickling and Glen” to a “Respected Madam” is found granting their servant Bill to take her servant Flora as his wife “provided it met your approbation.”⁶¹³ The notice recognized the importance of both masters’ approval, signifying their belief that slaves were childlike and in need of careful guidance before marriage. Planter C. Reynolds wrote William H. Tayloe that his slave Cornelius had permission to get a wife at Tayloe’s house, and made this concluding statement: “he is a good boy of good qualities and we wish the girl to be likewise.”⁶¹⁴ The male slave’s merits were typically listed as an assurance that he was a suitable match for his potential mate, even though his owners usually had little idea of the female’s caliber before the marriage.⁶¹⁵

The selection of ceremony gained importance throughout the antebellum period, and the master’s sponsorship of a Christian wedding increased in influence in the decades leading to the Civil War, at least among their favored slaves. Such notions led to a greater concern for matrimony led by a minister. Georgia planter Benton Miller ensured that his favored slaves were married by a minister named “Hill Reaves,” and a Virginia slave

⁶¹³ “Thursday 22nd September, 1825,” Jacob Irvin Papers, Duke University Rubenstein Library. Most similar notices usually had reference to the female’s name and a few suggestions for the procedure, see “Charles Hess Locher to William Weaver, Dec. 3, 1859,” Section 1, William Weaver Papers, 1786-1980, Virginia Historical Society.

⁶¹⁴ “C. Reynolds to W.H. Tayloe, 1857,” Tayloe Family Papers, Library of Virginia Special Collections. Such permission slips were not uncommon, and other masters expressed high interest in the moral qualities of the slaves gaining permission for marriage, see: “James William Shirley to William Larue, March 10, 1861,” Larue Family Papers, 1846-1889, VHS.

⁶¹⁵ “William Kennon Perrin to Mr. Harwood, March 23, [no year],” Harwood Family Papers, 1774-1908, VHS; “Garnett Duncan to Orlando Brown,” in *Slave Testimony: Two Centuries of Letters, Speeches, Interviews and Autobiographies*, ed. John Blassingame (Baton Rouge: Louisiana State University Press, 1977), 28.

owner wrote another in 1839 that he held no objection to the marriage of his male slave “Resin”, but noted “it is my wish that a minister of the gospel or some other person should perform the marriage ceremony.”⁶¹⁶ The latter source can be interpreted in two ways. On the one hand it holds a specific request for a minister to perform the ceremony. However, it also suggests that another individual was a suitable replacement, likely denoting that the master or even an elderly slave who was either literate or held some scriptural knowledge was an appropriate substitution. If a minister was desired, however, the requests usually went through an enslaved messenger who acted as the intermediary between the two parties.⁶¹⁷ Official requests to the minister were likely useful for masters seeking to eliminate potential insubordination, as it extended to the favored enslaved couple a legitimacy that was not largely available to most slaves in the nineteenth century. In effect, masters sought to buy the loyalty of a select few.

Ministers, however, expressed their dilemmas in uniting slaves in Christian matrimony, particularly when their backgrounds were questionable. In writing to Mary Custis in 1822, churchman Oliver Norris stated “If your servant was not married to the woman sold in Georgia I suppose their would be no impropriety to marry him to the person whom he now wishes to be united. But if he was married I could not perform the ceremony.”⁶¹⁸ Norris’ disconcert about the individual’s moral history is particularly important when framed within the earlier discussions of how to appropriately unite slaves

⁶¹⁶ “October 10, 1858,” The Farm Journal of Benton Miller, GDAH. “Snodgress to W. Gill, March 25, 1839,” Wilson Family Papers, 1790-1944, VHS.

⁶¹⁷ “Lewis Feuilleteau Wilson, Authorizations of Slave Marriages, Dec. 25, 1852,” Wilson Family Papers, 1790-1944, VHS.

⁶¹⁸ “Oliver Norris to Mrs. Mary Custis, April 2nd, 1822,” Mary Lee (Fitzhugh) Custis Papers, Correspondence, Section 10, VHS.

who were previously separated from their spouses. Despite discussions from select church committees in the early period of the nineteenth century, this reference suggests that no universal rule existed throughout the antebellum South regarding the necessary actions to be taken. Once again, a lack of discussion in the previous centuries of North American slavery crippled any legitimate advancements in slave marital reforms in the antebellum period. The predicament was exasperated in Norris' concluding statement requesting Custis to write him back as to the enslaved male's marital status, noting that "should there be no lawful impediment I will unite them agreeably to their wishes."⁶¹⁹ It is difficult to know what Norris meant by a lawful impediment, as it is safe to assume that ministers in the 1820s were well-aware of the fact that slave marriages held no legal bearing. It is likely that the connection between law and religion in the marital contract caused Norris to temporarily forget that his question had very little to do with "legal impediments", and everything to do with his own reservations of marrying a slave who was already committed to a previous partner, no matter how their separation occurred. While there is no conclusive documentation for this particular case, Custis subsequently called upon Norris numerous times to perform slaves' marital ceremonies, providing sufficient details in each letter to assure that Norris held no further dilemmas in officiating the ceremony.⁶²⁰

The internal correspondence between southern masters, mistresses, their relatives, and other associates reveal pertinent information upon the intellectual vantage points of slave marriage from white southern perspectives, particularly since these letters were not

⁶¹⁹ "Oliver Norris to Mrs. Mary Custis, April 2nd, 1822," Mary Lee (Fitzhugh) Custis Papers, Correspondence, Section 10, VHS.

⁶²⁰ "Oliver Norris to Mary Custis, Dec. 22 [no year listed]," Mary Lee (Fitzhugh) Custis Papers, Correspondence, Sec. 10, VHS.

meant to be seen by outside readers. Michael Schlatre of Louisiana served as an intermediary in the correspondence of a slave who was sold to his plantation from Virginia, leaving a wife and large web of enslaved kin behind. His motivation for writing to the slave's ex-mistress Susan Gordon was to gather "what ideas the Virginia negroes form of us sugar planters in Louisiana." By acting as a go-between for an enslaved male writing to his wife in Virginia, Schlatre was trying to demonstrate that planters in the Deep South, contrary to popular opinion, were as humane as their counterparts in the older slave states of the Atlantic seaboard.⁶²¹

Some sources also suggest that slave weddings functioned as sources of gossip between young mistresses who had grown attached to particular slaves. In writing to her young cousin Nina, Ellie Ellet of Roanoke, Virginia wrote: "I am going to raise your curiosity. There is going to be a marriage at Roanoke Christmas, guess whose it will be? You know Barbara, & Henry the cook's son. Well they are to be married. Don't you wish you could witness the ceremony?"⁶²² Ellie did not elaborate upon this snippet of information, suggesting that it was meant to tantalize young Nina with a vision of a slave wedding, a popular event for many antebellum white families seeking to publicize their wealth. Ann B. Cocke wrote her sister describing a wedding among a domestic servant and a skilled bricklayer that was a quintessential antebellum wedding of favored black laborers. According to Cocke, the slaves received clothes borrowed from the master, accompanied by a very nice cake, biscuits, and short hoecakes, coffee, and tea."⁶²³ The

⁶²¹ Michael Schlatre to Miss Susan Gordon, [1820s?], Box 4, Gordon-Blackford Papers, 1828, MHS.

⁶²² "Ellie Ellet to Nina, November 30, 1861," Box 1, Correspondence Cabell-Ellet, Papers of the Cabell Family, University of Virginia Special Collections (hereafter UVa-SC).

⁶²³ "Ann B. Cocke to Louisiana Cocke, Dec. 29, 1823," Papers of the Cocke Family, Additional Papers from 'Bremo Recess', UVa-SC. For more references to slaves receiving dress clothes, or sneaking them

fact that slave owners and their children reported upon the individual wedding ceremonies of favored slaves to one another reveals matrimony's growing importance within the social conditions of slaves in the antebellum period, providing a significant detachment from its seventeenth- and eighteenth-century predecessors.

Arguably the most significant adjustment in the southern slave system was the notion of "breeding" slaves as a method to naturally increase the slave population. The notion of slave breeding usually denoted northerners' beliefs regarding the animalistic connotations of southern slavery, as they accused masters of purchasing enslaved women "for the purpose of improving the stock, on the same principle that farmers endeavour to improve their cattle by crossing the breed."⁶²⁴ In Amy Dru Stanley's recent analysis, slave breeding occupied the interest of both the American Congress and the British Parliament. According to Stanley, the transatlantic debate over slave breeding was linked to the centrality of human bondage during rise of capitalism and the market revolution in the antebellum South: "*slave breeding* became a fighting word, a dirty word, a forbidden word. It conjured up plantation habits that turned love profane by accumulating value in human property."⁶²⁵ In one example from 1843, Henry Brougham of the British House of Lords proposed that Britain must intervene in the annexation of Texas to the U.S. territory to prevent Georgia, the Carolinas and Virginia from sending their surplus slave

from their master's room see: Max O'Rell and Jack Allyn, *Jonathan and his Continent: Rambles Through American Society* (Bristol: J.W. Arrowsmith, 1889), 265.

⁶²⁴ American Anti-Slavery Society, *American Slavery as it is: Testimony of a Thousand Witnesses* (New York: American Anti-Slavery Society, 1839), 16. For other references to slaves as animals kept for breeding see pages 110, 183 in this same volume. For further references to breeding also see pages 143, 167, 173, 182, 184.

⁶²⁵ Amy Dru Stanley, "Slave Breeding and Free Love: An Antebellum Argument over Slavery, Capitalism and Personhood," in *Capitalism Takes Command: The Social Transformation of Nineteenth-Century America* eds. Michael Zakim and Gary J. Kornblith (Chicago: University of Chicago Press, 2012), 122.

population to the Texas market. In essence, Britain must help “put an end to one of the most execrable crimes—for I would not designate it by the honourable name of traffic...namely the rearing and breeding of slaves.”⁶²⁶ American Abolitionists like Horace Greeley leveled accusations that southerners intentionally bred slaves to sell to markets.⁶²⁷ The American Anti-Slavery Society released multiple stories that rumored of slave breeding, noting one particular instance of an owner gathering his slave women to chastise them for not producing any children “for several months,” to which the women protested that their labor in the rice swamps negatively affected their fertility.⁶²⁸ After vociferously cursing the situation, the master then made arrangements to prevent them from performing labor waist-deep in the rice swamps in hopes to increase their natural reproduction.

Slave breeding reached a mythic nature in the discourses of northern apologists, while simultaneously instigating fierce denials among southern statesmen who themselves were slave owners. Such sources certainly hold value for historical research, but they should also be approached with some caution when attempting to ascertain the extent, and reality, of the practice in the antebellum period. In the next chapter I engage with many references to breeding from the narratives of ex-slaves, but in this chapter I examine a few white sources that highlight the likelihood that slave breeding was a

⁶²⁶ *Hansard's Parliamentary Debates: Third Series; Commencing with the Accession of William IV, volume 71, Comprising the Period from the Thirty-First Day of July, to the Twenty-Fourth Day of August, 1843* (London: Longman and Co., 1843), 917.

⁶²⁷ Horace Greeley, *Horace Greeley's views on Virginia : and what he knows about the South, slave-breeding, mixed schools, miscegenation, making sectional war, Kansas and the South, favoring secession, letting "the erring sisters go," confiscation, rapine, and ravage, slave insurrections, supporting General Butler's New Orleans order, the Ku--Klux trials, &c., &c., &c* (1872), Mitchell Snay, *Horace Greeley and the Politics of Reform in Nineteenth-century America* (Lanham, MD: Rowman & Littlefield Publishing Group, Inc., 2011).

⁶²⁸ American Anti-Slavery Society, *American Slavery as it is*, 15.

practice among certain masters seeking to advance their accumulation of capital. Even those who were more optimistic in how masters treated male slaves noted that “the planter very often, with a view to increase of his stock, forces him to have many wives.”⁶²⁹ However, despite northern criticisms the association of the term “breeding” as a method of naturally increasing the slave population was not uncommon in southern correspondence by the nineteenth century. As early as 1759 slave owner Richard Corbin wrote his agent James Semple instructions for the management of his plantation, noting in regards to “the Breeding wenches more particularly you must instruct the Overseers to be kind and Indulgent”, encouraging them to treat those with child in ways that would not be injurious to their reproduction.⁶³⁰ Southern masters were loathe to admit the practice publicly, as they instead preferred to promote their benevolence through the advertisements of slave weddings and accompanying festivities. A Mr. Stevenson of Virginia actually wrote the *Daily Mail* in London debunking accusations made against him being a slave breeder, and even denied that slave breeding was practiced in his home state of Virginia.⁶³¹

Looking beyond their public manifestations, however, the private musings and correspondences of southern planters reveals the possibility that such practices were a significant component of both interregional and intraregional slave trading networks. Slave announcements often promoted the fertility of the female as a primary selling point, as one female slave advertised in the *Charleston Mercury* was listed as “very prolific in

⁶²⁹ James Stuart, *Three Years in North America*, volume 2 (New York: J. & J. Harper, 1833), 60.

⁶³⁰ “Instructions given by Richard Corbin, Esq., to his agent for the management of his plantation; Virginia, 1759,” in *A Documentary History of American Industrial Society*, volume 1, ed. Ulrich B. Phillips (Cleveland, OH: The Arthur Clark Company, 1909), 109.

⁶³¹ “A. Stevenson to *The Evening Mail*, Oct. 30, 1838,” in *American Slavery as it is*, 182.

her generating qualities.”⁶³² Her marketability was thus based upon her capacity to generate offspring. Private correspondences also reveal how such discussions took place among the planter class. Securing a young breeding woman was a particular triumph for an up-and-coming slave owner who sought to increase his stock, as it was established tradition in the antebellum South that “the issue of the nuptial bed belongs to the owner of the bride!”⁶³³ Securing both a male and female, however, was likely preferable as the monogamous relationship provided consistency in procreation, and was particularly advantageous if both slaves were healthy and robust. In 1855, G.B Wallace wrote his friend Andrew Grinnan about his problems with “a very unruly negro girl” whom he desired to sell, and requested that Grinnan “be so good as look out for me a breeding negro woman under twenty years of age. Also, a young active negro man.”⁶³⁴ The usage of “breeding” as an adjective in this correspondence is significant, as it reveals the association of slave women with reproductive value, in turn devaluing the sanctity of marriage. Similarly, one former Alabama slave master remembered that since the slave woman was a “prolific breeder births were often and large families was the rule.”⁶³⁵ Thus, the young “breeding negro woman” and the “young active negro man” exemplified the goals of southerners seeking perpetuate the system through both production and reproduction, regardless of slaves’ emotional attachments.

⁶³² American Antislavery Society, *American Slavery as it is*, 175.

⁶³³ Charles Augustus Murray, *Travels in North America During the Years 1834, 1835,, & 1836. Including Summer Residence with the Pawnee Tribe of Indians, in the Remote Prairies of the Missouri, and a Visit to Cuba and the Azore Islands* (London: Richard Bentley, 1839), 118.

⁶³⁴ April 18th, 1855, G.B. Wallace to Andrew Grinnan, Papers of the Grinnan and Related Bryan and Tucker Families of Virginia, Box 4, UVa-SC.

⁶³⁵ “William D. Judge, February 23, 1913,” H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919, Folder 2, Alabama Department of Archives and History.

Slave Weddings and “Non-Southerners” in the South

In convincing the world of their merits, white southerners were particularly keen to recruit outsiders to their cause by introducing them to a slave system that contrasted with both its West Indian counterpart and the demoralizing narratives promoted by northern abolitionists. In one particularly effective publication, a Virginian met two English siblings who previously witnessed the horrors of West Indian bondage. Despite believing that “the mildest form of slavery is a degradation bitter to the feelings of mankind,” they were convinced the slaves in the United States were both merry and content in their lot, a fact “which is little known in England.”⁶³⁶ Upon witnessing a slave wedding in which the black attendees were gaily dressed, civil, and engaged in exuberant dancing, all with the approbation of an approving master, the English siblings concluded “that sight would have convinced any one that slaves might be happy in their slavery.”⁶³⁷ Similarly, Scotsman Charles Mackay likened southern slave marriages to the informal contracts that characterized rural Scottish weddings and contended that the severance of slaves’ marital ties was not more frequent than other locales that held populations of supposedly inferior morality.⁶³⁸

Converting an individual who previously held abolitionist sentiments was particularly effective. A publication entitled *The Sable Cloud* was a work designed to represent southern slavery as a humane institution by portraying these stories from the

⁶³⁶ “Judith Bensaddi: A Tale,” in *The Southern Literary Messenger, Devoted to Every Department of Literature and the Fine Arts*, 5 (1839): 472.

⁶³⁷ “Judith Bensaddi,” *Southern Literary Messenger*, 472.

⁶³⁸ An extract from Charles Mackay’s work *Life and Liberty in America*, published as “The Dual Form of Labour,” in *Russell’s Magazine*, 6 (1859): 5.

observations of northern visitors. In one chapter detailing a slave wedding, a northern woman expressed disgust at the northern propaganda that proclaimed slavery's brutality when observing the congenial nature of the plantation's slaves, and upon observing the festivities of a slave wedding she was convinced she "had never seen such a lively set of black people."⁶³⁹ In one anonymous tract from a northerner called "An American", who claimed he was previously opposed to slavery prior to residing in the South for multiple years, published his observations to present an alternate portrait of southern slave holding for those throughout the northeastern United States and the British Isles who were "possessed of marvelous gullibilities" due to abolitionist literature. The writer used a slave wedding as one example for arguing the beneficence of the southern slave owner, noting that the slave wedding "was something extraordinary, from the importance the blacks seemed to feel on the occasion; and it certainly surpassed many white weddings I have known."⁶⁴⁰ The ceremony was replete with a minister, food, religion, and community. In many respects the narrative is the quintessential apologetic for the southern system, even claiming that enslaved women who bore their master's children lived in harmony with the plantation mistress, despite the fact that she was aware of the relationship. The narrative is a perfect representation of the limitations of white sources for uncovering the socio-cultural functions of plantation culture, as his outside observations paint a rosy portrait of slave happiness and white benevolence throughout the South.⁶⁴¹

⁶³⁹ Nehemiah Adams, *A Sable Cloud: A Southern Tale, with Northern Comments* (Boston: Ticknor & Fields, 1861), 62.

⁶⁴⁰ An American, "Slavery in the United States," *The Knickerbocker*, 10 (Oct., 1837): 326.

⁶⁴¹ For similar narratives from both northern and international commentators see : "An Englishman in South Carolina, December 1860 and July 1862," *The Continental Monthly, Devoted to Literature and*

While similar narratives also drew sympathy for southern slave holding, they were a bit more careful in generalizing slave treatment throughout the South. English journalist Charles Lyell's travels in the antebellum South made him aware that an inconsistency in slave treatment characterized different locales throughout the region and he used the variations in the marriage ceremony as a poignant example. In his travels throughout North and South Carolina he noted that in Charleston he was present for a slave wedding where the "unmixed" African Americans were dressed in white and the wedding was performed by an Episcopal minister.⁶⁴² Shortly after, Lyell found himself upon a smaller plantation in North Carolina and inquired if a male slave he had previously conversed with was married, to which the master replied the slave participated in a bigamous relationship in which he had two wives upon different estates. Confused, Lyell contended against the suggestion and cited his previous experience in Charleston, to which the planter replied "he [the planter] himself was a lawyer by profession, and that no legal validity ever had been, or ought to be, given to the marriage tie, so long as the right of sale could separate parent and child, husband and wife."⁶⁴³ To some degree, Lyell bought into the idea, expressing his observational opinion about the rapid reproduction rates among American slaves, their lack of complaints about their condition, and their favorable comparison to the poor in Ireland and England who often favored "improvident

National Policy, 3 (January-June, 1863): 115-116; "An Englishman in South Carolina, December, 1860 and July 1862," *The Continental Monthly, Devoted to Literature and National Policy*, 2 (December, 1862): 694; Kate, "Letter 18," in *The Sunny South; or, the Southerner at Home, Embracing Five Years' Experience of a Northern Governess in the Land of Sugar and Cotton* (Philadelphia: G.G. Evans, 1860), 143-145; Edmund Kirke, *My Southern Friends* (New York: Carleton, 1863), 200-209.

⁶⁴² Charles Lyell, *Travels in North America, in the Years 1841-2; with Geological Observations on the United States, Canada, and Nova Scotia*, volume 1 (New York: Wiley and Putnam, 1845), 146.

⁶⁴³ Lyell, *Travels*, 146.

marriages” that did not yield productive population growth.⁶⁴⁴ In this interpretation the state of slavery provided a significant increase in slave morality, even to the point that they gained moral superiority over the Irish and working poor. Lyell’s calibration of American slavery’s favorable circumstances for natural reproduction largely detached him from his concern for any moral uplift, and he instead viewed slaves as another depraved population that benefitted from the instructions of their white masters.

The novelty of the slave wedding was of particular interest to genteel females from the North, who often provided extended commentary upon the bridal dress and general ceremony. In the description of “an intelligent, unprejudiced, and highly cultivated Northern lady” her observations gave extended attention to slave matrimony in Louisiana.⁶⁴⁵ She described a “sea of wooly heads” who conducted themselves with civility, cordiality, and genuine happiness throughout the entire event, causing the narrator to express a particularly surprising revelation: “The white gemmen [gentlemen] are not one half so courteously polite to us white ladies, as *they* [the slaves] are to their ‘fair sec’”.⁶⁴⁶ The inherent value of a slave wedding that directly mirrored its white contemporary, according to this narrative, was evidence of the civilizing influences the antebellum system provided unschooled peoples of African descent. Similarly, another visitor “born and educated in the North” had the “satisfaction of witnessing a negro marriage”, and noted “the importance the blacks seemed to feel on the occasion, and it

⁶⁴⁴ Lyell, *Travels*, 147.

⁶⁴⁵ J.H. Ingraham, ed., *The Southerner at Home, Embracing Five Years’ Experience of a Northern Governess in the Land of the Sugar and the Cotton* (Philadelphia: G. G. Evans, 1860), 4.

⁶⁴⁶ Ingraham, ed., *The Southerner at Home*, 145.

certainly surpassed many white weddings I have known.”⁶⁴⁷ The notion that this ceremony surpassed many white weddings was a significant contribution to proslavery apologetics, as it hinted at the South’s moral superiority in caring for its laborers, whereas the wage earners of the industrial North hardly attained such important benefits. While many such narratives typically held condescending remarks on the unschooled nature of the participants such as the black minister, groom, or bride, they concluded that such ceremonials were useful in educating enslaved laborers on the moral standards of white society and unveiled the progress of the peculiar institution in the nineteenth century.⁶⁴⁸ The vociferous calls of southern apologists might fall upon deaf abolitionist ears, but the positive reinforcements of distinguished northerners who observed the dynamics of plantation life had the potential to alter the attitudes of their counterparts.

Abolitionist attacks remained effective in the opinion of the general public, particularly signaled by the popularity of Harriet Beecher Stowe’s 1852 publication *Uncle Tom’s Cabin*. While Stowe claimed the work was “not the biography of any one man”, she did base much of the story on the autobiography of former Maryland slave Josiah Henson, whose narrative recollected his family’s daring escape to the North.⁶⁴⁹ Stowe’s novel was the primary point of reference for many who were otherwise unfamiliar with southern slavery, and she used the characters Eliza and George to specifically highlight abolitionism’s primary critique: disruption of enslaved spouses.

⁶⁴⁷ An American, “Slavery in the United States,” *The Knickerbocker*, 10 (October, 1837): 326.

⁶⁴⁸ William H. Holcombe, “Sketches of Plantation Life,” *The Knickerbocker*, 57 (June, 1861): 619-621.

⁶⁴⁹ Stowe would explain her position in a letter written to a news outlet, see Box 1, Folder 4 Query Letters, 1936-1939. Slave Life and Conditions, 1938-1939, John Winston Coleman Papers, 1780-1940 Collection on Slavery, University of Kentucky Special Collections. For Josiah Henson’s narrative see Josiah Henson, *The Life of Josiah Henson, Formerly a Slave, Now an Inhabitant of Canada, as Narrated by Himself* (Boston: Arthur D. Phelps, 1849).

George, a slave portrayed as an intellectual superior to his master, enjoyed a stable marriage at the expense of his abusive master. George's breaking point comes when his master demands that he take a wife upon his own plantation, severing his previous relationship with Eliza and their new-born child. With a certain degree of naiveté Eliza, a favored domestic, earnestly inquires "Why—but you were married to *me*, by the minister, as much as if you'd been a white man!" to which George replied "Don't you know a slave can't be married? There is no law in this country for that; I can't hold you for my wife, if he chooses to part us."⁶⁵⁰ *Uncle Tom's Cabin* gained popular appeal throughout both Britain and the United States and was remanufactured for racist and anti-racist campaigns through stage plays and minstrelsy.⁶⁵¹ It presented a formidable challenge to claims of proslavery apologists who promoted the idea that a paternalistic ethos governed their system.

While no southern rebuttals would ever gain the same popularity as Stowe's stinging rebuke, they certainly paid attention to the reality that *Uncle Tom's Cabin* could manipulate large swaths of American and international opinions on southern slavery. Appeal to the marriage ritual once again framed the response, completely ignoring the fact that slaves were forcibly separated at the master's whim. In the journal of Charleston,

⁶⁵⁰ Harriet Elizabeth Beecher Stowe, *Uncle Tom's Cabin: A Tale about Life Among the Lowly* (London: George Routledge & Co., 1852), 27.

⁶⁵¹ For one review of Stowe's novel from an English critic see: Lord Thomas Denman, *Uncle Tom's Cabin. Bleak House, Slavery, and the Slave Trade, Seven Articles* (London: Longman, Brown, Green, and Longmans, 1853), 56-57. For the best analysis of the transatlantic impact of Stowe's novel see Sarah Meer, *Uncle Tom Mania: Slavery, Minstrelsy, and Transatlantic Culture in the 1850s* (Athens: University of Georgia Press, 2005). A number of British renditions are available in the Special Collections of the British Archives, see The Slave Hunt or St. Clare and the Happy Days of Uncle Tom. Including Cassy's Story and the Death of [illegible] Being an entirely new version of Uncle Tom's Cabin, in Two Acts, Feb. 15, 1853. In Add. MS 52937 V, British Library; Uncle Tom's Cabin. or, Life Among the Lowly. Mary Stone? Theater 26 Jan., 1854. Add MS 52964 H, British Library; Uncle Tom's Cabin: Operatic Melodrama in 2 Acts Oct. 20, 1852. Add. MS 52935 R. By Edward Fitzball, British Library.

South Carolina slave owner Caroline Clitherall she rhetorically inquired “What wou’d the Beecherstowites have said cou’d they have seen the handsome supper given by my dear Eliza and Carrie to their servant.”⁶⁵² Categorizing abolitionists as “Beecherstowites” reveals the direct hit plantation owners experienced as Stowe’s novel gained popular approval. Using food and a wedding party as a main point of reference convinced Clitherall that her own expressions of paternalism were theoretically enough to dispel the myth of southern brutality, if northerners were only willing to see it.

Domestic Relations and Antebellum Slavery

While the narratives of former slaves have proven their immense value in explaining the socio-cultural activities of southern slaves, an in-depth study of plantation records and other writings from antebellum whites also provide information on the inner-workings of the slave quarters from different perspectives. The private writings of planters that mention slaves are of particular importance because they include unabashed explanations of enslaved activities that merited attention. At times, masters even recorded instances of domestic abuse and sexual exploitation within the slave community. While ex-slave narratives discuss instances of quarrelling within the slave quarters, the public nature of these sources made specific examples rare in most testimonials. The private writings of plantation documents and the notation fo consequences meted out toward the offending parties make white antebellum sources valuable for uncovering a largely

⁶⁵² Caroline E. Clitherall Papers, Southern Historical Collection, University of North Carolina-Chapel Hill, Box 2, entry dated March 2nd, 1855. For other apologetics see: John Fletcher, *Studies on Slavery, in Easy Lessons, Compiled into Eight Studies and Subdivided into Short Lessons for the Convenience of Readers* (Natchez: Jackson Warner, 1852), 38; Rev. Ebenezer W. Warren, *Nellie Norton: or, Southern Slavery and the Bible. A Scriptural Refutation of the Principal Arguments upon which the Abolitionists Rely. A Vindication of Southern Slavery from the Old and New Testaments* (Macon, GA: Burke, Boykin & Co., 1864), 16-20.

understudied component of southern slave communities. To be sure, slaves were no more prone to spousal abuse than their white contemporaries, but such instances are important to analyze if scholars are to move beyond a largely romanticized depiction of slave families in the historiography of American slavery.⁶⁵³

In a select few writings a modern reader is introduced to the notion of slaves “quarrelling” with one another. Discord within the slave community was certainly not uncommon, be it with spouses against one another, parents against children, or conflicts between blood-related family members and those who married into their community. In one example, former slave owner J.G. Clinkscales related a story from a slave named Mack who did not approve of his son’s wife due to her advanced education, and at one point verbally threatened her: “I...look dat gal straight een de eye en say, 'Look here, nigger, if you wus des a man, I'd wallup you all over dis yard.’”⁶⁵⁴ Luckily Mack did not advance upon the woman, but the trivial nature of the disagreement suggests that slave quarrellings were just as prone to altercations as any other community. Frederick Law Olmsted noted that the frequent switching of spouses instigated slaves to violence against one another, largely due to the jealousy of residing with multiple spouses simultaneously. Olmsted noted that overseers did very little in interfering with slaves’ promiscuity, and they only intervened in cases of fornication or adultery if the slaves began quarreling

⁶⁵³ Much of this centralizes within the promotion of the “slave community” as a unit of psychological survival that emerged out of the cultural history turn of the 1970s and ‘80s: Blassingame, *The Slave Community*; Geneovese, *Roll, Jordan, Roll*. For a succinct overview of this literature see the following article: Jeff Forret, “Conflict and the ‘Slave Community’: Violence among Slaves in Upcountry South Carolina,” *The Journal of Southern History*, 74 (2008): 551-588.

⁶⁵⁴ J.G. Clinkscales, *On The Old Plantation: Reminiscences of His Childhood* (Spartanburg, SC: Band and White, 1916), 140.

internally, at which the overseer would “give all the hands a damned good hiding.”⁶⁵⁵

This notation suggests that slaves were prone to aggression against one another with some frequency, and discloses the possibility that spouses engaged in quarrelling with one another at suspicions of infidelity. At times, however, domestic violence was unwarranted and enslaved women fell victim to an abusive husband. In a private letter to his friend H.C. Nixon in the early twentieth century, former Alabama slave owner L.A. Morgan remembered that his slaves were largely aloof in securing their marriages publicly and among those slave couples that simply took up together “Some men would whip their wives dreadfully—and were punished for it.”⁶⁵⁶

Charles Colcock Jones, a slave owner and advocate for slave reform, agreed and noted that due to the frequent separations of slave families and the lackluster enforcement of slave morality by the master, that domestic disturbances such as quarrellings and fighting occurred with alarming frequency within the slave quarters. Jones maintained, however, that most masters gave up interfering in these disagreements and only “a few conscientious masters persevere in attempts at reformation, and with some good degree of success.”⁶⁵⁷ These brief references are important for revealing that masters held a vested interest in maintaining the social order upon the plantation, including punishing those spouses who committed violence against their partners. While slave owner’s references could be accused of biasedly representing instances of slaves’ domestic violences, many of the references come from private journals that were never expected to

⁶⁵⁵ Olmsted, *A Journey in the Seaboard Slave States*, 93.

⁶⁵⁶ L.A. Morgan, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” Alabama Department of Archives and History (hereafter ADAH).

⁶⁵⁷ Charles Colcock Jones, *The Religious Instruction of the Negroes In the United States* (Savannah: Thomas Purse, 1842), 134.

be read, making them suitable for analysis of this relatively underrepresented aspect of southern slavery. Despite the nefarious nature of domestic violence, a man's assertion of physical or emotional control over the household was an important component of masculinity in the nineteenth century. A master's ability to prevent an enslaved males exercise of this authority further demoralized the masculine structure that black males tried to approach in antebellum slave society.

Slave owners reserved sole authority to mete out punishments, and it was particularly important for them to punish enslaved males who attempted to control their households. The diary of Bennett Barrow is one of the most detailed accounts of daily plantation activities, including multiple references to slave behaviors that he felt compelled to correct. On December 31st, 1837 Barrow noted that on a warm, cloudy day his slave "Jack Whiped his wife 'Lize'," upon which Barrow sent for him and Jack decided it was "best to put out & did so."⁶⁵⁸ It is a revealing statement, but also quite cryptic. Barrow's reference to Jack deciding to "put out" suggest that Jack decided it was best to surrender his authority to his master Barrow, relinquishing his own control over the situation at Barrow's likely threat of punishment.

Barrow was a rather meticulous recorder of daily events, and much of the information provided comes in small portions that are left to the imaginations of the researcher. On August 11, 1838 he noted another instance of domestic violence on the same day slaves were hoeing corn and cotton, and Barrow nonchalantly noted a slave named "jack broke his forefinger last night Whipping his wife."⁶⁵⁹ Unlike the previous

⁶⁵⁸ Davis, ed., *Plantation Life in the Florida Parishes*, 85.

⁶⁵⁹ Davis, ed., *Plantation Life in the Florida Parishes*, 125.

reference, however, Barrow did not record that he issued a punishment for Jack, causing one to wonder if Barrow believed the circumstances in this case merited any discipline. The fact that Jack broke his forefinger suggests that the “whipping” was rather violent and far more aggressive than a domestic disagreement, but Barrow’s indifferent reference is suggestive that such occurrences were more consistent than is often believed. One reference from December 30, 1838, however, provides more specificity in detailing the rules and regulations between masters and slaves when it came to issues in the domestic sphere. Barrow recorded a slave named “Demps gave his wife Hetty a light cut or two & then locked her up to prevent her going to the Frolick—I reversed it turning her loose and fastning him.”⁶⁶⁰ The account is fascinating for what it does, and does not, reveal.

First, it provides a bit more detail in the causes and consequences of the argument, suggesting that Barrow may have held a vested interest in quelling this dispute. Barrow noted the slaves were apparently arguing about Hetty attending a dance, and it is likely she became victim to the passions of a jealous husband who not only struck her, but locked her inside a confined space to prevent her departure. Second, Barrow mentions the wife’s name in this account, contrasting it with his reference of August 11, 1838, the briefest of the three accounts. It appears likely that both of these enslaved laborers were of some value for Barrow. While he apparently punished Demps for his actions the documented punishment was likely given for its symbolic importance, and served as a method to secure Barrow’s authority over both slaves without physically harming Demps too severely. Such consequences, or lack thereof, are revealing for how instances of domestic violence were approached upon the southern plantation. Barrow probably only

⁶⁶⁰ Davis, ed., *Plantation Life in the Florida Parishes*, 139.

witnessed a small sample of the actual events that took place, and probably recorded even less of the ones he viewed. Still, recording three instances of male-on-female domestic abuse in a 365-day period is highly suggestive of how often such scenarios might have taken place.⁶⁶¹

Barrow noted, however, that household violence was not entirely one-sided, as “Woman Darcas...cut her husband (Dice’ Nat) in the Hip with a hatchet. Very dangerous cut.”⁶⁶² Barrow does not reveal the cause of the dispute, but simply states the punishment he distributed to her would “make her sick of the sight of a Hatchet.”⁶⁶³ It is possible that Darcas might have been the abusive partner, but it is also possible that this blow was dealt in a desperate act of self-defense. Though the bodies of black laborers were frequently disrespected, they knew that they carried economic components and severe punishment awaited them if they damaged the master’s property. Darcas undertook an extreme maneuver in delivering a “dangerous cut” to her husband, but in the end it appears that she was the one punished for nearly destroying a valuable piece of property. If there was a resolution to this volatile relationship, Barrow does not disclose how he handled the problem beyond physical punishment.

Darcas received a brutal whipping for the near-fatal blow, but it is also important to place this scenario as an example of how the theories of black womanhood and gender prescriptions in the antebellum South amplified the abilities of white males to legally

⁶⁶¹ There are a few additional references to slaves quarrelling, but the reference is not entirely clear since Barrow notes the events while two slaves are getting married. He may have been discussing a possible solution to the problem by having them ride a vehicle around the plantation together to solve their issues, see Davix, ed., *Plantation Life in the Florida Parishes*, 202.

⁶⁶² Davis, ed., *Plantation Life in the Florida Parishes*, 357.

⁶⁶³ Davis, ed., *Plantation Life in the Florida Parishes*, 357.

abuse black female bodies. Historian Deborah Grey White writes of “the white idea of black women as a sort of female hybrid, capable of being exploited like a woman but otherwise treated like a man.”⁶⁶⁴ Part of the reasoning revolved around the duty of “field labor”, which was not determined by gender. Barrow and various other masters noted the similarities in the labor patterns of male and female slaves in their prime, both of whom were usually employed in hoeing or picking cotton.⁶⁶⁵ The lack of gendered determinancy in labor performances masculinized enslaved women and simultaneously disregarded their womanhood, in turn allowing them to fall prey to the sexual advances of both white and black men.

While past scholarship has catalogued the sexual abuses white men forced upon black women, a few sources from antebellum slave owners suggest that sexual exploitation of the black female body was not always so one-sided. At times the prostitution of black women was a collaborative activity among middling or lower-class whites and enslaved males. North Carolina slave master John Walker recorded his rage at the revelation that his own enslaved males were prostituting the women by sending them to another plantation at the beck-and-call of other planters who sent their own slaves to retrieve the women. For six days Walker privately railed against the practice, noting on July 8, 1834 that “upon good negro proof” these practices had continued since he moved to the region in 1824.⁶⁶⁶ While Walker appears to have quelled the practice for the time being, he ultimately relies upon divine retribution as the ultimate justice against the

⁶⁶⁴ Deborah Grey White, *Am 't I a Woman?: Female Slaves in the Plantation South* (1985; New York: W.W. Norton and Company, 1999), 188.

⁶⁶⁵ Davis, ed., *Plantation Life in the Florida Parishes*, 127.

⁶⁶⁶ “July 8, 1834,” John Walker Papers, Box 1, Journal, Southern Historical Collection.

practice. Thus, for nearly a decade Walker had dealt with such issues, suggesting the practice was relatively well-established within this particular area.

A similar situation occurred on Bennett Barrow's Louisiana plantation, though he recommended a type of frontier justice as his primary approach to fixing the problem: "had a general Whipping frolick. White men sending for some of my women by one of my boys. 'one eyed Sam'—a load of buck shot will be the dose if I can see them or find them." In this case a single slave was responsible for securing particular women for the uninvited white visitors, much to the chagrin of Barrow. Barrow does not disclose the reason for his anger, though it is likely that he felt it an encroachment upon his property and an affront to his direct authority upon the plantation. A few historians have documented the clandestine activities of poor and middling whites with slaves, though finding voice for them always presents significant challenges.⁶⁶⁷ The women remain anonymous in this account, as well as voiceless. Cross-racial prostitution was certainly not an anomaly in the South as evinced by subjects like the "fancy trade" that forced thousands of enslaved women to fall prey to the economic and sexual power of slave owners. The references by Walker and Barrow, however, suggest a somewhat different method through which enslaved men participated in the sexual exploitation of enslaved women through collaboration with their white associates.

⁶⁶⁷ Previous scholarship has discussed the relations and fraternizations between slaves, free blacks, and poor whites to complicate the traditional racial paradigms that have confined southern antebellum history: Gary B. Mills, "Shades of Ambiguity: Comparing Antebellum Free People of Color in 'Anglo' and 'Latin' Louisiana," in *Plain Folk of the South Revisited*, ed. Samuel C. Hyde, Jr., (Baton Rouge: Louisiana State University Press, 1997), 161-186; Lawrence T. McDonnell, "Money Knows No Master: Market Relations and the American Slave Community," in *Developing Dixie: Modernization in a Traditional Society*, eds. Winfred B. Moore, Joseph F. Tripp, and Lyon G. Tyler (Westport, CN: Greenwood Press, 1988), 31-44; Jeff Forret, *Race Relations at the Margins: Slaves and Poor Whites in the Antebellum Countryside* (Baton Rouge: Louisiana State University Press, 2006).

Slave Marriage in White Southern Memory

Slaveholders unsurprisingly viewed slave marriages differently than those unfamiliar with the daily responsibilities of plantation life, and the memories of slavery remained particularly pertinent to former slaveholders during the periods of reconstruction and the early twentieth century.⁶⁶⁸ The questionnaire of southern agrarian Herman Clarence Nixon, who sent inquiries to former slave holders throughout Alabama from 1912-1913, holds one of the most useful collections for statistical data on the function of slave marriage, their ceremonial dynamics, and their perceptions of slave morality within the southern system. Nixon's motives are difficult to decipher, as he was known for his criticism of what he perceived as a northern agenda to forcibly industrialize the South after the Civil War, arguing that "the Civil War jolted from power and status the most articulate agrarian group known to American history."⁶⁶⁹ It becomes evident, however, that Nixon intended to use this information to write a book about southern slavery from the perspective of former slaveholders and others sympathetic to the antebellum system of agricultural production. Nixon's questionnaire yielded twenty six responses, with twenty five of them hailing from slave holding roots in the Deep South and one from a former slave from Georgia. While it was not a large sample, Nixon's questionnaire utilized methodologies familiar to social scientists due to its

⁶⁶⁸ For memoirs and narratives describing slave marriages from white perspectives see the following primary sources: James Avirett, *The Old Plantation: How We Lived in Great House and Cabin Before the War* (New York: F Tennyson Neely Co., 1901), 124-126; Rev. George W. Williams, *The American Negro: From 1776 to 1876* (Cincinnati: Robert Clark and Co., 1876), 10; Victoria Virginia Clayton, *White and Black Under the Old Regime* (Milwaukee, WI: The Young Churchmen Company, 1899), 130-131; Thomas Nelson Page, *Social Life in Old Virginia Before the War* (New York: Charles Scribner's Son, 1887), 102-105.

⁶⁶⁹ Herman Clarence Nixon, "Whither Southern Economy," *I'll Take My Stand: The South and the Agrarian Tradition by Twelve Southerners* (1930; New York: Harper & Row Publishers, 1962), 188.

specificity and targeted outcome. Hoping to understand the inner workings of the slave system from the viewpoint of those who witnessed it, Nixon sent the same list to each respondent in order to attain answers that demonstrated both consistency and divergence in each individual experience.

Nixon's specific inquiries on slave marriage revolved around four central questions, which included explanations of the ceremony of marriage; the extent that slaves observed the marriage relation; the degree of love and affection within the relationship; and if slaves felt any grief upon the occurrence of forced separations.⁶⁷⁰ As with most questionnaires some respondents gave generalized answers while others provided significant details. Some respondents even skipped this section, an omission that is itself significant. The fact that Nixon included four questions dedicated to conceptualizing the healthiness of slave marital and family life suggests that queries upon the stability of the black family within the historical conceptions of American slavery continuously resonated in the early twentieth century. As will be seen, the respondents often took opportunity to discuss contemporary issues of black morality by using using positive memories of antebellum slavery as their primary reference point.

The first question of how the ceremony of marriage was performed among slaves received twenty one responses of varying specificity, fourteen of which claimed the ceremony mimicked those of white southerners by specific reference to the format of a Christian union. The most common response was usually rendered as the ceremonies of slaves were "performed as [were] the ceremony of the whites" or "in imitation of the

⁶⁷⁰ Data is taken from "H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919," Folders 1-5, Alabama Department of Archives and History (hereafter ADAH).

white people.”⁶⁷¹ The identity of the wedding officiant was almost equally divided between white and black ministers, as six respondents noted instances of white ministers, and five of them claimed instances of black ministers who were usually selected from within the slave community. This component of racial identity, however, was a complex subject for many of the respondents as they noted that a black preacher was the usual selection, but white preachers were at times reserved for particularly special occasions like the wedding of a favored slave. Respondent D. McIntosh claimed “the marriage ceremony was performed then, as today, a negro preacher officiating,” and while his counterpart William Judge agreed he also noted that “very often a favorite slave, or a number of them, were married by the white minister nearest them.”⁶⁷² This latter reference is revealing in illuminating admittance of favoritism by providing a white minister for those slaves considered closest to Anglo-American society. Dividing the slave community internally helped secure mastery over a labor force that often outnumbered whites within the confines of the plantation fences.

In slight contrast, three informants claimed the master was responsible for leading the ceremony. These responses that claimed the master performed the ceremony spoke,

⁶⁷¹ The two quotes come from respondents J.W. Winston, and J.N. Emerson, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH. For similar responses see R.M. Garner, J.M. Aederhold (Folder 1). For the remaining respondents who were part of the eleven individuals detailing a Christian ceremony from a white minister see: P.F. Mitchell, L.A. Morgan (Folder 1); Anonymous Respondent number 1; J.M. Davisone (Folder 5) . For a black minister see: William D. Judge (Folder 2); H.M. Bush[?] (Folder 3); D. McIntosh, H.W. Ruttand (Folder 4); Judge Miller (folder 5). Those who claimed it was the master included: William D. Judge (Folder 2) and John H. Alexander (Folder 4); W.H. Fluker in Folder 5 suggests that his father was the ultimate authority, though provides no description of the actual ceremony. I use his testimony, however, since he does suggest a ceremony was utilized. One response noted that wedding was either conducted by a “negro or white preacher” see: Anonymous respondent number 2, Folder 5, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁷² D. McIntosh, Folder 4 and William D. Judge, Folder 2 in “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

perhaps incidently, to the power dynamics of the plantation system. While respondent L.A. Morgan noted his father was a Justice of the Peace and officiated at the slave weddings upon his own plantation, others like John H. Alexander noted the ceremony was performed in a “simple” way, explaining that slaves would secure consent from the master and both he and the woman were called before their owner “and after asking the vows of each other they were pronounced man and wife.”⁶⁷³ The illegality of slave marriage allowed the master, who might have held no legal power within the white community, to usurp a position usually reserved for those who held religious and/or legal authority.⁶⁷⁴ The position of “master” upon the plantation allotted the slave owner an ability to develop makeshift laws that governed plantation behaviors, while they simultaneously posed as benevolent paternalists who invested time and money toward slave weddings and other festivities to ensure the satisfaction and loyalty of their slaves.

In contrast to these aforementioned testimonials, three other responses claimed that slaves forsook any ceremony and simply took up together. This practice was probably more common than these narratives suggest, however, since whites were not always privy to private relationships as they existed in the slave quarters. For instance, J.M. Davisone noted “Some of them took up together by consent without any marriage ceremony—quite frequently they had a regular formal ceremony and sometimes the mistress gave her seamstress girl, or maid or cook a big wedding and a regular ‘pow

⁶⁷³ John H. Alexander, Folder 4, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁷⁴ L.A. Morgan, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

wow’.”⁶⁷⁵ His claim of frequency suggests that he could only discuss those weddings that he knew of, but had to admit that “some of them” married without the master’s consent. J.N. Emerson made an even more poignant statement by noting that wedding ceremonies occurred frequently, “but the rule [among slaves] was to live together unceremoniously.”⁶⁷⁶ Thus, the impression given was that slaves would typically reside together without any formalities if whites left them unmonitored.

The remaining narratives within the collection do not detail ceremonial formats with any detail, but either list the existence of nuclear family units among slaves, or followed the claim of respondent O.J. McCann who suggested that the ability of slaves to gain their master’s consent for the marriage comprised the entirety of the ceremony.⁶⁷⁷ In essence, the overwhelming conclusions among this group comprised notions that Christian forms of the marriage ceremony were overwhelmingly performed among slaves, paying lip service to the idea that the enslaved were more family than property and the plantation zone was one that reoriented black morals from African promiscuity to European civility.

Perhaps the most revealing component of the questionnaire was the denial of forced separation, or at least the hesitancy to discuss it. Almost half of the respondents either did not answer the question or feigned ignorance on the issue, while others were

⁶⁷⁵ J.M. Davisone, Folder 5, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁷⁶ J.N. Emerson, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁷⁷ O.J. McCann, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH. For the remainder of the narratives see: Mrs. J.B. Stewart (Folder 3); J.W. Grayson (Folder 4); M.J. McConnell, Folder 5, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

willing to admit that “families were divided by sale of estates” and even then it was only through dire circumstances.⁶⁷⁸ For instance, D. McIntosh qualified this practice by claiming “It was only when it was impossible to keep them together that they were divided.”⁶⁷⁹ There are likely two reasons for the selective memories. First, these respondents were all from Alabama, a state known for importing slaves rather than exporting. It was much less likely for an Alabaman slave owner to sell slaves due to the expanding cultivation of cotton that required importing more labor than their counterparts in the exhausted soils of Virginia and Maryland who began exporting larger numbers of slaves by the early nineteenth century.⁶⁸⁰ Second, the historical memory of these planters was likely skewed to represent either themselves or their parents in a favorable light. Knowing that Nixon intended to publish the results of his findings (though there is no evidence that he ever did), the responses hoped to resurrect the image of days that were lost by northern aggression and the Civil War.

It should be noted that Nixon framed the question in a subtle way, one that appears to backpedal from placing too much blame upon the former slave owners: “Do you know instances of great and lasting grief caused by the separation of husband and

⁶⁷⁸ The quote comes from W.H. Fluker, Folder 5, H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH. For similar statements see: J.M. Aederhold (Folder 1); William D. Judge (Folder 2); Mrs. J.B. Stewart (Folder 3); Anonymous Respondent 1 (Folder 5) For those that did admit to forcible separation see or claimed to have never witnessed grief at the event see: J.W. Winston, R.M. Garner (Folder 1); John H. Alexander, H.W. Ruttand (Folder 4) Anonymous Respondent 2, Judge Miller (Folder 5). Others claimed they had never heard of this happening, but suggested it was certainly possible, see: L.A. Morgan, Folder 1. J.M. Davison contended that separations occurred largely at the slaves’ own volitions, see Folder 5, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁷⁹ D. McIntosh, Folder 4, H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁸⁰ Johnson, *Soul by Soul* ; Tadman, *Speculators and Slaves*; Deyle, *Carry Me Back*; Ford, *Deliver Us From Evil*; Berlin, *The Making of African America*.

wife, or of child from parent?”⁶⁸¹ Nixon portrayed the notion of forcible separation as a undeniable fact of American slavery, but encouraged his informants to discuss how slaves dealt with the separation rather than discuss the intensity of the practice in the antebellum period. Luckily for Nixon, most of the answers were brief and claimed to know very little information on this subject. J.W. Winston claimed he knew “of no instance of great and lasting grief caused by separation of husband and wife” and D. McIntosh believed “there was very little separation of husband and wife, and in fact I do not remember any.”⁶⁸² Similar aspects of nostalgia are found in numerous plantation reminiscences from southern women reflecting upon a system they cherished.⁶⁸³ Their appeal to personal knowledge allowed them to detach themselves from reality, a reality that saw a million African Americans forcibly removed from locations throughout the South that they had, to a certain degree, embraced as homelands.⁶⁸⁴ In a particularly self-serving statement, J.M. Davison noted “I saw but few separations except by death, my father never sold any of his negroes. He bought from his neighbors a wife & husband [who] continued to keep each other—the husband being permitted to visit his wife once or twice a week.”⁶⁸⁵ Davison’s inclusion of his personal account at witnessing a single act

⁶⁸¹ H.C. Nixon Questionnaire, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁸² J.W. Winston (Folder 1) and D. McIntosh (Folder 4), “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁸³ For a selection of these writings, both published and unpublished, see: Page Thacker, *Plantation Reminiscences*, (Richmond, VA: Page Thacker, 1878), for slave marriage see pp. 3-4; Eliza Kendrick Walker, “Other Days; Reminiscences 1924,” ADAH.

⁶⁸⁴ This notion of movement and place among antebellum African Americans is explored in Berlin’s *The Making of African America*, chap. 3.

⁶⁸⁵ J.M. Davison, Folder 5, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

of benevolence provided the types of anecdotes that would serve the documentary arsenal that characterized Lost Cause ideology and Confederate memory in the post-Reconstruction South.

According to historian David W. Blight, promoters of the Lost Cause ideology “could not develop their story of a heroic, victimized South without the images of faithful slaves and benevolent masters.”⁶⁸⁶ While it is difficult to categorize any of these respondents as ardent polemicists for the return of the Old South, their answers were certainly influenced by the notion that slavery was ultimately for the good of African Americans as well as the southern economy. If the questionnaire reveals anything in this regard, it suggests that historicizing the system of chattel slavery is dependent upon a combination of memory, location, and the popular ideology of the period. With few exceptions, most of these former planters were united by the idea that slavery was a virtuous institution that uplifted, rather than denigrated, black Americans.

Staying within the framework of memory the responses concerning black morality in slavery and freedom is most poignant. The respondents generally viewed slaves’ sexual morals favorably in the antebellum period, but a closer reading reveals that most of them likely held an ulterior motiv behind their claims. Within the seventeen responses that directly answered the question, twelve respondents noted that slaves’ sexual mores were superior to those of free blacks in the early twentieth century, while two respondents criticized slave morality. Three other respondents simply stated that slave couples held great devotion to one another without referencing contemporary

⁶⁸⁶ David W. Blight’s *Race and Reunion: The Civil War in American Memory* (Cambridge: Harvard University Press, 2001), 260.

circumstances.⁶⁸⁷ What is significant about the comparison between antebellum slaves and free blacks? Keeping in mind that most of these respondents believed the antebellum system was morally and culturally superior to its twentieth-century equivalent, it is not surprising that they reminisced favorably upon loyal, happy, and morally-attuned slaves against the promiscuous twentieth-century African Americans who were no longer subjected to the disciplinary measures of the plantation. Employing a gendered viewpoint, the following quote from respondent William Judge captures the essence of this idea:

Negro women now pay but little attention to chastity—In slavery they were just a little better, as the owners, or the wives and daughters of the owner, insisted that marriage ties be kept... it is [now] a common thing for one woman to live with two men—not in the same house and vice a versa. In slavery times this was not permitted.⁶⁸⁸

Judge and many of his counterparts contended that without the careful guidance of white owners African Americans were largely doomed to repeat the moral follies of their African ancestors who were often described as devoid of sexual control. Sometimes the suggestions were subtle, like that of O.J. McCann who opined “the devotion was as great in those days as it is in this day or greater I think.”⁶⁸⁹ Despite this subtlety, such

⁶⁸⁷ The twelve respondents consist of the following names: O.J. McCann, J.W. Winston, P.F. Mitchell, L.A. Morgan, R.M. Garner, William D. Judge, H.M. Bush, Mrs. J.B. Stewart, John H. Alexander, J.W. Grayson, Anonymous Respondent 1, Anonymous Respondent 2, Judge Miller. The two dissenters were: J.M. Aederhold and J.M. Davison. The three that simply stated that slaves were faithful without referencing their contemporary circumstances were D. McIntosh, W.H. Fluker, and M.J. McConnell. There references are all found in “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁸⁸ William D. Judge, Folder 2, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

⁶⁸⁹ O.J. McCann, Folder 1, “H.C. Nixon Responses to Questionnaire on Slavery and Newspaper, 1912-1919,” ADAH.

sentiments were important for white southerners in the early twentieth century as they came from personal observations and recollections that were able to authoritatively claim the moral superiority of the antebellum system for both black and white southerners. H.C. Nixon knew these answers provided powerful ammunition for his work on the social dynamics of southern slavery, and it becomes much easier to understand how this rhetoric captivated southern histories of slavery throughout the first half of the twentieth century, and even beyond.

Conclusion

Ultimately, when dealing with the intellectual portrait of white understandings of antebellum slavery, one could contend that the concept of paternalism provides a useful vantage point for conceptualizing slave marriage from white perspectives in the antebellum and postbellum periods. Paternalism, in theory, gave outsiders the notion that the southern system was simultaneously benign in comparison to the living conditions of wage-laborers throughout the free world, as well as the belief that slaves were more like family members than workers on the plantation. Both northerners and international visitors were at times befuddled by the apparent loyalty slaves assumed for their oppressors. Olmsted told of a South Carolina mistress, a “very excellent lady”, who took every effort to convince him of how “little cruelty” there actually was in the separation of slaves. She related a story of her favored domestic servant who married an enslaved man upon the plantation, both of them vowing in front of an Episcopal minister that they

would “cleave together until death should part them.”⁶⁹⁰ Upon news that the mistress was to relocate to Alabama to join her husband, she gave her favored servant an ultimatum: “go with her and leave her husband, or remain with her husband and be separated from her.”⁶⁹¹ With little regret the enslaved woman chose to follow her mistress to Alabama and within one month found a new husband, to the apparent indifference of her former husband. Such stories were utilized to project the image of paternalistic slaveholding, hoping to convince non-southerners to draw a similar conclusion as C.S. Woodbury, a northern visitor who resided in the South for a period of months: “I think that our Northern abolitionists need not make so much ado about the ill treatment of slaves...I was certainly very much astonished, to find their condition so different from what I had always heard.”⁶⁹² Whether or not planters were actually paternalistic is a murkier debate, but the façade of paternalism is applicable for contextualizing slave weddings documented by white observers in the antebellum era.⁶⁹³

Englishman Charles Lyell’s journeys throughout the antebellum South prompted him to conclude “not a few planters, by dint of defending their institutions against the arguments and misrepresentations of their assailants, came to actually to delude themselves into a belief that slavery was legitimate, wise, and expedient—a positive good in itself.”⁶⁹⁴ Thus, the antebellum paternalistic ethos served a convenient purpose in

⁶⁹⁰ Frederick Law Olmsted, *A Journey in the Seaboard Slave States; With Remarks on their Economy* (New York: Mason Brothers, 1861), 556.

⁶⁹¹ Olmsted, *A Journey in the Seaboard Slave States*, 556.

⁶⁹² “C.S. Woodbury Letter, April 11, 1849,” SPR 630, ADAH.

⁶⁹³ For one the most up-to-date examinations of paternalism in historiography see the lengthy book review by James Oakes, “I Own My Slaves, But They Also Own Me”: Property and Paternalism in the Slave South,” *Reviews in American History* 38 (2010): 587–594.

⁶⁹⁴ Lyell, *Travels in North America*, 150.

convincing both slaveholders, aspiring slaveholders, and their descendants that the southern institution was set apart from its contemporaries through an enlightened method of treatment that ultimately increased productivity. Even if the practice of forcible separation was admitted by slavery's apologists, the separation of slave spouses was simply viewed as collateral damage within an institution that was otherwise expanding and gaining favor among white southerners up to the Civil War.

CHAPTER 7

SLAVE TESTIMONY: RITUAL PRACTICE AND GENDER RELATIONS IN THE MARRIAGES OF ANTEBELLUM SLAVES

In recollecting the marriage traditions among house slaves William H. Robinson noted that they typically sought the prerequisite approval of the owners, and if it was given, the master sponsored a wedding feast replete with raccoon, possum, and sweet potatoes furnished by the slave community. In detailing the somewhat peculiar ritual, at least to his white readers, Robinson revealed the ceremony took the following format:

When everything was ready the old negro preacher, (who by the way could not read a word) went through a certain form prescribed by the master. If the couple marrying was young, the young mistresses held a broom stick knee high. If the bride and groom were more advanced in years, older ladies held it. At the end of the ceremony the colored preacher said to the bride and groom, ‘now, when you jump the broom stick I announce you man and wife.’ This is how the expression you are all so familiar with originated.⁶⁹⁵

Robinson’s testimony reveals a number of important components for understanding the unique cultural expressions that characterized the antebellum slave community. Born in 1848, Robinson came of age as North American chattel slavery was simultaneously

⁶⁹⁵ William H. Robinson, *From Log Cabin to the Pulpit, or Fifteen Years in Slavery* (Eau Claire, WI: James H. Tift, 1913), 152.

expanding to the west while marching toward its extinction through the Civil War. However, fifteen years of slavery provided ample time to understand the cultural worldviews that characterized many slave communities by the mid-nineteenth century.

In Robinson's description he suggests that certain differences in the ritual performance depended upon the couple's age, as young people witnessed the mistress holding the broomstick while older people employed elderly women for the purpose. Robinson does not give an explanation for the difference, though one could surmise that mistresses had more invested in a young couple that was expected to reproduce children. In contrast, older slaves who were past child-bearing age were not as critical to ensuring the plantation's advancement, and the details of the ceremony were most likely left to them without supervision. The illiteracy of the priest is a particularly significant detail, as it suggests that wisdom and respect within the slave community was not predicated solely upon a superficial notion of intellectual advancement through the written word. In contrast, even this likely creole-born slave population followed an African-centered understanding that wisdom was given through the elders of the community.⁶⁹⁶ Perhaps most significantly, Robinson reveals the notion that this was a wedding among the "house slaves". This notion that contrasts with the general belief that slaves prescribed to a hierarchy of ceremonies in which the weddings of field hands that typically consisted of broomstick ceremonies without pomp and display, against those of the favored house slaves who usually received more elaborate weddings.

⁶⁹⁶ For more on the notion of elderly slaves upon southern plantations see the short book of Stacey K. Close, *Elderly Slaves of the Plantation South* (New York: Garland, 1997).

Examining the antebellum slave's intellectual and cultural approach to marriage is useful for gaining further understanding of how both local and transatlantic conditions continued to inform the unique cultural developments showcased within the primary sources. Slaves understood that white opposition to legalizing their marriages stood as one of the great injustices of the nineteenth century. Former Kentucky slave and prolific author William Wells Brown wrote in 1853 that the marital state was "the first and most important institution of human existence--the foundation of all civilisation and culture--the root of church and state."⁶⁹⁷ For Brown, slaves' inaccessibility to legally sanctioned marriages was the most important contributor to slaves' moral and emotional degradation, arguing that "the slaveholder denies to his victim even that slight alleviation of his misery, which would result from the marriage relation being protected by law and public opinion."⁶⁹⁸ Brown's passage reveals that enslaved people recognized that access to marriage was an important component of American citizenship, and the systematic denial of the marriage contract to millions of enslaved blacks provided security to planters who sought to differentiate themselves from their human property.⁶⁹⁹

⁶⁹⁷ William Wells Brown, *Clotel; or; The President's Daughter: A Narrative of Slave Life in the United States* (London: Partridge and Oakey, 1853), 57.

⁶⁹⁸ Brown, *Clotel*, 58.

⁶⁹⁹ Various American legal scholars have assessed the legal dimensions of slave marriage in the United States: Mark Tushnet, "The American Law of Slavery, 1810-1860: A Study in the Persistence of Legal Autonomy," *Law and Society Review* 10 (1975): 126; Margaret A. Burnham, "An Impossible Marriage: Slave Law and Family Law," *Law and Inequality* 5 (1987): 187-225; Laura F. Edwards, "'The Marriage Covenant is at the Foundation of All Our Rights': The Politics of Slave Marriages in North Carolina after Emancipation," *Law and History Review* 14 (1996): 81-124; Amy Dru Stanley, "Dominion and Dependence in the Law of Freedom and Slavery," *Law and Social Inquiry* 28 (2003): 1127-1134; Goring, "The History of Slave Marriage," 299-347; Amy Dru Stanley, "Instead of Waiting for the Thirteenth Amendment: The War Power, Slave Marriage, and Inviolate Human Rights," *American Historical Review* (2010): 732-765. Scholars of the British Caribbean have also asked similar questions: Barrow, "'Living in Sin'" 47-70; Green, "'A Civil Inconvenience'?" 1-59.

A focused examination of primary sources related through the perspective of slaves and former slaves unveil the slave system's brutality and contradictory existence within a society predicated upon Christian principles. However, while most ex-slave narratives agreed that freedom was always preferred to slavery, other accounts reveal contrasting depictions of plantation social life. How can scholars explain this? While it is a popular supposition among many historians to accuse memory or interview methods as primary reasons for former slaves' nostalgia for the plantation, it is difficult to prove that enslaved people's descriptions of the socio-cultural dynamics of the plantation, particularly marital practices, were intentional fabrications.⁷⁰⁰ If a former slave described an exuberant ceremony that, at least for that moment, held a utopic break from the rigors of plantation slavery, it then becomes the responsibility of the scholar to dissect what this suggests about the narrator's individual experience with enslavement as well as what it reveals about southern slavery collectively. Considering that the question of "slave marriage" resonated throughout social, cultural, religious, and political forums, it is a topic well-suited for further inquiry from those who experienced it, especially regarding questions of homogeneity and heterogeneity in slave culture and labor.

This chapter uses this diverse source base to focus upon black perspectives of slave matrimony in the nineteenth century in four parts. After providing a brief historiographical overview of how historians have reckoned with the diversity of ex-slave narratives, the chapter's first section analyzes enslaved Americans' thoughts on matrimony through letters and other literary devices. The personalized accounts display

⁷⁰⁰ The most recent addition to the literature scrutinizing the problems with slave autobiographies, particularly the WPA narratives is Ellen Hampton, "'Lawdy! I was sho' Happy When I was a Slave!': Manipulative Editing in the WPA Former-Slave Narratives from Mississippi," *L'Ordinaire des Ameriques*, 215 (2013): 1-9. The historiography is examined later in the chapter.

the inner thoughts of enslaved couples who cherished one another while facing the painful reality of forcible separation and abroad marriage. These sources provide critical information in how such circumstances impacted the psychology of nineteenth-century slaves. The second segment uses both quantitative and qualitative analyses of ex-slave narratives recorded in the twentieth century to display the vast ritual diversity of slave matrimonial practices in the nineteenth century, challenging the notion that Christian ceremony was overwhelmingly preferred among antebellum slaves. This data is then qualified through a transatlantic paradigm, discussing to what extent slaves appropriated European-based marital customs such as “jumping the broomstick” or the Christian ceremony, into their own unique expressions. Thirdly, this chapter provides an extensive discussion of the concepts of polygamy, remarriage, and promiscuity as they were understood by those who were born under a system where they had never experienced, or witnessed, a black couple secure a legally-recognized marriage. Lastly, it views slaves’ domestic relations as revealed through their own narratives. In contrast to the largely romanticized depictions of the slave family found in many past works, this last section illuminates how the gendered dynamics of antebellum relations facilitated into the slave quarters and how slaves’ internal relations were as privy to violence and sexualization as their white antebellum counterparts.

Using Slave Narratives

The dilemma of heterogeneity in ex-slave reflections has plagued historians of slavery for many decades. While scholars maintain that access to the narratives provides critical evidence in examining the slave system from the perspective of the laborers,

many have expressed reservations about the validity of some sources over others. Slave narratives, of course, vary with the individual author. According to literary scholar Charles Heglar “the term ‘slave narrative’ includes many kinds of texts, which constitute a heterogeneous genre.”⁷⁰¹ Heglar suggests that slave narratives can be categorized differently based upon historical period, thematic development, authorship, and length. In this chapter I use each of these sources as they express both similarities and differences, remaining mindful of the influences of the period in which the narrative was written. The various collections can be grouped into four basic categories. The first group comprises letters and testimonies of African Americans while they were still enslaved; the second collection includes ex-slave autobiographies of fugitive slaves written before 1865; the third set consists of the autobiographies of former slaves written after the Civil War; and the fourth group contains the ex-slave narratives recorded in the early twentieth century through individual initiatives, the federally sponsored Works Progress Administration (WPA), and other state-based governmental programs that initiated similar campaigns during the Great Depression of the 1930s.⁷⁰²

The chapter shows how this diverse source base reveals the interplay between history, personal experience, and memory in the North American slave narrative. African

⁷⁰¹ Charles J. Heglar, *Rethinking the Slave Narrative: Slave Marriage and the Narratives of Henry Bibb and William and Ellen Craft* (Westport, CN: Greenwood Press, 2001), 7. For other literary perspectives on slave narratives see: Frances Smith Foster, *Witnessing Slavery: The Development of Antebellum Slave Narratives* (Westport, CT: Greenwood Press, 1979); James Olney, “‘I Was Born’: Slave Narratives, Their Status as Autobiography and as Literature,” *Callaloo*, 20 (1984): 46-73; Marion Wilson Starling, *The Slave Narrative: Its Place in American History* (Washington: Howard University Press, 1988); Lynn A. Casmier-Paz, “Slave Narratives and the Rhetoric of Author Portraiture,” *New Literary History*, 34 (2003): 91-116; Sarah Wood, “Exorcizing the Past: The Slave Narrative as Historical Fantasy,” *Feminist Review*, 85 (2007): 83-96.

⁷⁰² Stephanie Shaw has creatively used the sources for information about the depression era, see: Stephanie Shaw, “Using the WPA Ex-Slave Narratives to Study the Impact of the Great Depression,” *The Journal of Southern History*, 69 (2003): 623-658.

Americans who divulged their experiences as slaves hailed from a diverse array of social, cultural, and economic environments dependent upon where and when they were born. Some were the mixed-race offspring of plantation owners, some were favored domestic slaves, a few were skilled, and most others recollected that their experience largely entailed arduous agricultural field labor. Numerous slaves testified to witnessing the sale of their spouses and other family members, while others maintained their master had never participated in the domestic slave trade. Many were even sold themselves. Analyzing these concepts, alongside the marriage patterns and practices among this variegated source base, provides voice to those who were willing to expose the unjust intricacies of the plantation system. The chapter uses the slave narratives to examine slaves' marital relations and ritual practices through the categories of gender, class, and plantation demography. I will analyze how these sources collectively portray a different representation of slavery than those written solely through the interpretation of white commentators, though I maintain it is also important to remain mindful of the similarities. As displayed in the previous chapter, white observers largely held homogenous views of enslaved marriage depending upon their social, political, and/or economic agendas. A sustained analysis of sources written from African-American perspectives, however, reveals that enslaved laborers divulged a great deal of complexity in how slaves engaged the marital union, and even how they remembered the circumstances of their marriages.

In 1905, former slave William Albert Sinclair, a future organizer of the National Association for the Advancement of Colored People (NAACP), lamented in his pioneering work *The Aftermath of Slavery* that the "system of slavery, as it existed in the South, was as black as moral turpitude could make it... There could be no legal marriage;

the constant separation of those who entered into the marriage relation...made this impossible. For the wife or husband...could marry anew after each sale.”⁷⁰³ In employing the lens of monogamy as the standard for measuring marital normalcy, Sinclair judged the frequency of remarriage among those forcibly separated as one of the most damaging components of American slavery. The slave system, predicated on the ownership of human chattel, provided opportunities for owners to forcibly separate spouses and family members at the prospect of financial gain, rendering those who controlled the system of slavery, along with those who allowed it to persist, culpable for the polygamous relations that plagued southern blacks throughout the nineteenth century.

In contrast to Sinclair’s depiction, the 1911 publication of former slave Irving E. Lowery portrayed enslaved marriage and courtship quite differently. Lowery suggested that prior to the Civil War “the relation that existed between the master and his slaves was, in most cases, one of tenderness and affection,” and he placed enslaved marriages and courtship processes in romantically couched terms.⁷⁰⁴ Noting that most slaves married without “religious ceremony and no wedding ceremony” he also maintained that “cupid managed to kindle the divine spark in their breasts, and he had a way to fan it to the flame.”⁷⁰⁵ In salvaging the reputation of a system his narrative fondly recollected, Lowery highlighted the wedding ceremonials of “more prominent or favorite slaves”, that included a “bountiful” marriage feast, attendance from friends at “every plantation within

⁷⁰³ William A. Sinclair, *The Aftermath of Slavery: A Study of the Condition and Environment of the American Negro* (Boston: Small, Maynard & Company, 1905), 11.

⁷⁰⁴ Rev. Irving E. Lowery, *Life on the Old Plantation in Ante-Bellum Days or A Story Based on Facts* (Columbia, SC: The State Co. Printers, 1911), 10.

⁷⁰⁵ Lowery, *Life on the Old Plantation*, first quote 59, second quote 58.

a radius of five miles,” and a black preacher who “could read well and talk fluently.”⁷⁰⁶ Ignoring the details of forced separation and disrespect for slave marital unions, Lowery instead focused upon the social dynamics of an actual slave wedding in which white and black southerners fraternized together amidst the accompanying festivities.

Both authors were South Carolinians by birth, and were only separated by eight years in age, as Lowery was born in 1850 and Sinclair in 1858. Each author emerged on the tail end of slavery, but both were born early enough to have some recollections of slave life and access to a large community familiar with the institution. Why did they come to such stark differences in their representations of slave marriage? Intention is certainly one reason. Lowery’s ambition was to portray the redemptive elements of slavery where masters treated slaves like family members to benefit future generations, believing that enough literature existed discussing the evils of slavery. The more activist-minded Sinclair catalogued the most reprehensible components of the slave system to further his agenda toward black equality under the Jim Crow era at the turn of the century. Individual experience provides another explanation for the distinctions. As noted in the previous chapter, individual masters held different theories upon maintaining enslaved productivity, and many concluded that providing enslaved laborers with relatively stable hearths and homes ensured enough loyalty for continued productivity. Thus, despite their shared existence as formerly enslaved black males in an American society that remained predicated upon notions of white supremacy, Lowery and Sinclair’s contrasting representations suggest that shared racial identity did not always necessitate commonality in historical memory.

⁷⁰⁶ Lowery, *Life on the Old Plantation*, first quote 59, second quote 60, third quote 61.

The current chapter's emphasis on slave narratives is motivated by the increased historiographical usage of sources written by ex-slaves in the late nineteenth and early twentieth centuries. Prior to this movement most studies of slavery were framed through the comments of white southerners or those traveling throughout the South.⁷⁰⁷ As largely outside observers, however, white commentators were typically not privy to specific cultural attachments that might have defined the slave community. Some scholars opine that numerous white memoirs of plantation life agree with the portrayals of slave marital and familial life from the oral histories of slaves collected in the early twentieth century, while others note the stark differences between plantation diaries and the autobiographies of formerly enslaved abolitionists.⁷⁰⁸ Both contentions are equally valid, and scholars generally use both sources in their analyses while noting the potential inconsistencies imbedded within each source base.

In combating the over-representation of white sources in the historiography dealing with slave life, scholars writing during the Civil Rights movement recaptured the all-but-forgotten slave narratives and oral histories in hopes that they might articulate the benefits of such resources in representing slaves' social and cultural histories.⁷⁰⁹ Most of these "new" sources were from the extensive interviews undertaken by the Works Progress Administration (WPA), a governmental program designed to employ out-of-

⁷⁰⁷ Ulrich Bonnell Phillips is the quintessential representative of scholars who rejected the usefulness of ex-slave autobiographies, see: Phillips, *American Negro Slavery*. While he rejected Phillip's racist assumptions, Kenneth Stampp also relied primarily upon plantation writings for his evidence, see Stampp, *The Peculiar Institution: Slavery in the Antebellum South* (New York: Alfred A. Knopf, Inc., 1956).

⁷⁰⁸ Schwartz, *Born in Bondage*, 16-17; West, *Chains of Love*, 32-45.

⁷⁰⁹ The new generation of scholarship emerged in the 1960s with the following authors at the forefront: Jones, "A Cultural Middle Passage,"; Blassingame, *The Slave Community*; Genovese, *Roll, Jordan, Roll*; Lawrence W. Levine, *Black Culture and Black Consciousness: Afro-American Folk Thought from Slavery to Freedom* (Oxford: Oxford University Press, 1978); Stuckey, *Slave Culture*.

work writers to collect the testimonies of rural Americans. Over two thousand of the interviews in the South were those of ex-slaves, and the “WPA interviews represented their only and last formal opportunity to speak openly about slavery.”⁷¹⁰ But for some scholars not all black sources were considered equal, as the trustworthiness of the WPA narratives was questioned due to the potential unreliability of the respondents’ memories, the problematic interview methods of the government employees, and the hesitancy of many scholars to trust the narratives where slaves recollected fond memories of plantation slavery.⁷¹¹ The general consensus among most scholars, however, is that all sources must be considered for their potential value in exposing new vantage points for the history of slavery in the United States.⁷¹²

The extensive collection of enslaved and ex-slave testimonials available from the nineteenth and twentieth centuries makes the history of antebellum slave culture particularly unique. Unlike other slave societies throughout the Atlantic, numerous testimonials from formerly enslaved Americans were collected through abolitionist

⁷¹⁰ Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (Cambridge: Cambridge University Press, 2008), 16. For other scholars’ reflections on the WPA see: Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Vintage Books, 1979), xiii; Winthrop Jordan, *Tumult and Silence at Second Creek: An Inquiry into a Civil War Slave Conspiracy* (Baton Rouge: Louisiana State University, 1993), 129-133.

⁷¹¹ C. Vann Woodward, “History From Slave Sources”, *American Historical Review*, 79 (1974), 470-48; : John W. Blassingame, “Using the Testimony of Ex-Slaves: Approaches and Problems”, *Journal of Southern History*, 41 (November 1975): 473-492; Thomas F. Soapes, “The Federal Writers’ Project Slave Interviews: Useful Data or Misleading Source,” *Oral History Review* 2 (1977): 33-38; David Thomas Bailey, “A Divided Prism: Two Sources of Black Testimony on Slavery,” *Journal of Southern History* 46 (August 1980): 381-404; Norman R. Yeatman, “Ex-Slave Interviews and the Historiography of Slavery,” *American Quarterly*, 36 (Summer, 1984): 181-210; Paul D. Escott, “The Art and Science of Reading WPA Slave Narratives”, *The Slave’s Narrative* eds. Charles T. Davis and Henry Louis Gates Jr. (Oxford: Oxford University Press, 1985); Herbert C. Covey and Paul T. Lockman Jr., “Narrative References to Older African Americans Living Under Slavery,” *Social Science Journal* 33 (1996): 23-37; Donna J. Spindel, “Assessing Memory: Twentieth-Century Slave Narratives Reconsidered,” *Journal of Interdisciplinary History*, 27 (Autumn 1996), 247-261; Sharon Ann Musher, “Contesting ‘The Way the Almighty Wants It’: Crafting Memories of Ex-Slaves in the Slave Narrative Collection,” *American Quarterly* 53(2001): 1-31.

⁷¹² Joyner, *Down by the Riverside*, xvii; Hudson, *To Have and to Hold*, xxi.

campaigns, governmental programs, ex-slaves' own initiatives, and documentation by international observers. While each source base holds a general agreement concerning the inequity of the southern system regarding the marital union, they also provide differing perspectives of how slaves both perceived and engaged the marital relation. By focusing on this wide array of sources, this chapter remains conscious that complexion, class, and gender constructed enslaved people's differing views of marriage, despite a shared history of enslavement. Both literate and illiterate slaves provide opportunity to view "slave marriage" from both intellectual and cultural perspectives, and this chapter argues that sources usually examined through the lens of "folk culture" actually provide fascinating portrayals of how slaves intellectually dissected the inherent inconsistencies of a Christian society that denied them marital stability. The circumstances of enslavement obliged some African Americans to condone marital structures outside Christian norms, and many couples resisted the intrusions of missionaries, abolitionists, and government employees who sought to mold their relationships to "acceptable" American standards. The chapter uses qualitative and quantitative data to examine how this diverse array of sources ultimately unlocks expressions of marital culture not divulged by sources written through white observation and perspective.

Antebellum Slave Correspondence and Testimony

While the collections of letters and interviews from slaves in the antebellum era are much thinner than their counterparts throughout the postbellum period, enough evidence exists to reconstruct the mentalities of enslaved people who felt the anxiety of forcible separation and the brief, blissful moments of finding romance and partnership.

While the domestic slave trade between 1800 and 1860 funneled hundreds of thousands of slaves from the eastern seaboard to the Deep South, some evidence exists that slaves expected their marital bonds to endure the separation through conjugal fidelity and kinship. In the 1820s a slave named William Butler wrote his wife Mary to provide her consolation regarding his conditions in Louisiana, having recently been separated from his wife in Maryland. His letter describes his voyage to the Deep South upon a vessel and the favor he gained among the white crewman and his fellow slaves, fifty of whom joined him upon the plantation of his new master. The letter served as a way to ensure his wife of his safe arrival, but it also functioned as a reminder that he should not be forgotten despite the distance between them. He stated his hope that the “letter will find you my wedded wife as I left you...I am bound to remain yours, and if I ever have the least idea of changing my present state I will let you know.”⁷¹³ The passage is interesting for what it reveals about the position of the male in slave marriage relations. Butler suggested that while Mary was supposed to remain ever-faithful he ultimately allowed for the possibility that *he* could change his mind, at which point he would inform her of his decision. Despite the possibility of his mental shift, however, he expected the marriage to endure the indefinite physical separation.

Separation through abroad marriages or sale prompted a number of fidelity issues for enslaved spouses who expected their partners to remain monogamous. In one letter written through her plantation mistress, a Virginia slave named Betty inquired about her abroad husband John Morloe who it was rumored was allowing an enslaved woman from his own plantation, Rose Burvel, to do his “washing, & it seems that her mother and

⁷¹³ Michael Schlatre to Susan Gordon, 1820s, Box 4, Gordon-Blackford Papers, Maryland Historical Society.

father are trying to get John to marry her.”⁷¹⁴ Betty demanded this relationship cease, and asked John’s master Dr. Perkins to encourage John to visit her the following weekend, as she had not seen him for two months since she gave birth to their twins. The anxiety associated with not hearing from loved-ones is an underappreciated component of the historiography of slavery, despite the fact that it was likely one of the more ubiquitous circumstances among enslaved blacks throughout the Atlantic world. The letter is unable to reveal any details as to why John ceased his visitations. Perhaps John did not want to responsibilities of a father, and saw the abroad relationship as a convenient situation in cancelling any further contact between him and the mother of his children. It is likely that such abrupt severances of communication were not uncommon, as Tennessee slave George Pleasant wrote his abroad wife of his frustration at letter-writing only to receive no responses: “My dear wife I don’t feeld no whys like giving out writing to you as yet and I hope when you get this letter that you be Inncougege to write me a letter.”⁷¹⁵ Despite the hardship, Pleasant ended the letter with an optimistic reference to meeting his wife in paradise, suggesting that their terrestrial circumstances were ultimately voided by an eventual reunion in Heaven.

In the case of Betty, however, no satisfactory conclusion is given, causing one to conclude that this story probably ended with an emotional tragedy. As John was comfortably outside the domestic sphere he established with Betty, he no longer felt obligated to continue their relationship and sought companionship from a woman closer

⁷¹⁴ “Mary J. Carter to Dr. Peyton, December 13th, 1857,” Sec. 35, Peyton Family Papers, 1760-1919, Virginia Historical Society.

⁷¹⁵ “George Pleasant to Agnes Hobbs, Sept. 6, 1833,” in *Slave Testimony: Two Centuries of Letters, Speeches, Interviews and Autobiographies*, ed. John Blassingame (Baton Rouge: Louisiana State University Press, 1977), 19.

to his residence whose parents also provided a readily accessible kinship community that helped curtail the psychological damage of enslavement. Similar to the worldviews of their African ancestors, slaves believed that marriage entailed an entrance into the kin group of the spouses that brought the formation of alliances, confidantes, and the securing of inheritances. For slaves the support system provided through their fellow laborers was critical. In one marriage ceremony performed by a black minister in Georgia, he asked each recipient if they not only took each other, but if they loved one another's "mother, father, brothers, sisters, master, mistress, and God the best?"⁷¹⁶ Assuming the responsibilities of a husband or wife necessitated that one was able to easily integrate into the kinship community upon their husband or wife's plantation. Some ex-slave narratives also claimed that to successfully court a slave woman, "the consent of the girl's parents, and that of both masters, if they belonged to different owners, had to be obtained."⁷¹⁷ Additionally, the aforementioned letter by William Butler devotes half of its space to discussing the importance of kinship for slaves, as he sends his regards to countless individuals in the Maryland slave community that impacted his life, demonstrating their residual importance in his ability to psychologically endure his sale to the Deep South.⁷¹⁸

While much of the historiography focuses upon the rupture of slave families through sale and living apart, the harsh conditions of nineteenth-century life also proved

⁷¹⁶ J.R. Blame, *American States, Churches, and Slavery* (London: Hamilton, Adams, & Co., 1863), 7.

⁷¹⁷ H.C. Bruce, *Twenty Nine Years a Slave, Twenty Nine Years a Free Man* (York, PA: P. Anstadt & Sons, 1895), 74. Bruce was himself blocked from marrying his own love interest under slavery due to the owner not allotting his consent to the union, as he believed Bruce would be a bad influence to his slaves because he could read, see page 108.

⁷¹⁸ Michael Schlatre to Susan Gordon, 1820s, Box 4, Gordon-Blackford Papers, Maryland Historical Society.

particularly fatal to slaves' domestic spheres, causing remarriage to occur with some frequency due to death. Virginia slave Matthew Watts wrote his mistress in 1837 that he had lost his wife and daughter since her absence from the plantation and felt compelled to get a new wife. He reported that a remarriage almost occurred, but "being so rejoiced at coming to you I disappointed my intended wife."⁷¹⁹ It appears that Watts was likely a skilled slave who maneuvered between the multiple plantations of his mistress, making it difficult to establish a romantic relationship at his current residence if he was to move to his mistress' alternate residence in Kentucky. While the letter at first appears to demonstrate the stereotypical "loyal slave" of southern discourses, a closer reading reveals that it more represents the difficulty for some widowed slaves in finding a suitable mate who could meet the needs of their transient lifestyle.

At times, however, slave letters provide glimpses of ceremonies that slaves utilized, though these were usually the observations of favored slaves that witnessed weddings of similarly-privileged laborers. Elizabeth Keckley, a domestic servant who eventually served as a modiste to Mary Todd Lincoln wrote her mother in 1838 that she was "a bridesmaid" for a fellow domestic servant and described her anxiety at ensuring that her frock was clean and appropriately sown before the wedding.⁷²⁰ The letter suggests that some slaves felt similar moments of stress as their white contemporaries in their preparation for significant events. Such unions, however, were never entirely secure. In a letter to her mother, a literate slave named Emily wrote of her joy in reporting her marriage and thanked her mother for the generous wedding gifts sent to her, but quickly

⁷¹⁹ "Matthew Watts to Mrs. Elizabeth Brown, December 3, 1837," in *Slave Testimony*, 27.

⁷²⁰ Elizabeth Hobbs to her Mother, April 10th, 1838, in *Slave Testimony*, 21.

recoiled from her optimism as she related in subsequent correspondence about the sale of her husband after only a few short months together. “O! mother, what shall I do? A time is fast approaching when I shalt want my husband and mother, and both are gone!”⁷²¹ Despite the ceremonial splendor of the wedding ceremony, slaves maintained recognition of their union’s legal illegitimacy and remained powerless at the threat of forcible separation.

For slaves who knew the route north an escape was sometimes deemed the most practical option. In abolitionist Benjamin Drew’s brief interview with Mrs. James Seward, an ex-slave in Canada, she recollected her “master would allow no marriages on the farm.”⁷²² Upon realizing this, Seward noted her fiancé Jim “brought to me two suits of clothes--men's clothes--which he had bought on purpose for me. I put on both suits to keep me warm. We eluded pursuit and reached Canada in safety.”⁷²³ Similarly, the celebrated narrative of William and Ellen Craft also used marriage and the tenuousness of enslaved relations as the motive for their escape from Macon, Georgia to the northern states. Dressing the fair-skinned Ellen as a white plantation owner and William posing as her black body servant the Crafts became one of the few former slaves to successfully escape from a southern state that did not border the Mason-Dixon Line.⁷²⁴ At certain

⁷²¹ “Emily to her Mother,” in *Slave Testimony*, 23.

⁷²² Benjamin Drew, *A North-Side View of Slavery. The Refugee: or the Narratives of Fugitive Slaves in Canada. Related by Themselves, with an Account of the History and Condition of the Colored Population of Upper Canada* (Boston: John P. Jewett and Company, 1856), 43.

⁷²³ Drew, *A North-Side View of Slavery*, 43.

⁷²⁴ William and Ellen Craft, *Running a Thousand Miles for Freedom; or, the Escape of William and Ellen Craft from Slavery* (London: William Tweedie, 1860), 27-30; Heglar, *Rethinking the Slave Narrative*, 79-107; Barbara McCaskill, “Ellen Craft: The Fugitive who Fled as a Planter,” in *Georgia Women: Their Lives and Times*, volume 1, eds. Ann Short Chirhart and Betty Wood (Athens, GA: University of Georgia Press, 2009), 86. Despite this error, McCaskill remains one of the pre-eminent scholars on this formerly enslaved duo, see: McCaskill, “‘Yours Very Truly’: Ellen Craft—The Fugitive as Text and Artifact,” *African*

times, enslaved males like Josiah Henson learned the route north and successfully returned to retrieve their families.⁷²⁵ Such stories cemented the validity of the abolitionist agenda by demonstrating that despite the difficulties of enslavement, black southerners hungered for legally protected marriages, and often went to great lengths to preserve their marital unions.

The inspiring narratives of enslaved couples braving the harsh conditions and geographical complexity of the US South certainly served a purpose for promoting the abolitionist agenda, but most slaves understood that the realities of escaping North included the possibility that the spouses might never see one another again. Using quantitative and qualitative data, historians have revealed that most runaways were young men in their upper teens or early twenties and “in most cases, they were forced to leave wives and children behind.”⁷²⁶ In some narratives former slaves admitted that a primary reason they fled was due to the brutality inflicted upon their spouses, of which they felt powerless in preventing. Former slave Isaac Williams remembered a counterpart upon his plantation reasoning with him to not attempt an escape, for it would mean he would never see his wife again. In response, Williams gave a passionate plea “What's the reason I would n't? To stay here with half enough to eat, and to see my wife persecuted for nothing when I can do her no good. I'll go either north or south, where I can get enough to eat; and if ever I get away from that wife, I'll never have another in slavery, to be

American Review, 28 (1994), 509-529. One of the few other slaves to escape from the Deep South was the aforementioned Henry Bibb.

⁷²⁵ Henson, *The Life of Josiah Henson*.

⁷²⁶ John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (Oxford: Oxford University Press, 1999), 210. Also see Lathan A. Windley, *A Profile of Runaway Slaves in Virginia and South Carolina from 1730 through 1787* (New York: Taylor and Francis, 1995), 40.

served in that way.”⁷²⁷ In contrast to the aforementioned Venture Smith, who frequently used physical violence against his white oppressors, antebellum slaves were largely more hesitant to engage in physical confrontations at the threat of being sold or maimed for insubordination. In one example, Josiah Henson’s only memory of his father was his bloodied appearance after beating a white overseer for assaulting Henson’s mother. After having his ear cut off and back lashed one hundred times, Henson recalled that his father “became a different man, and was so morose, disobedient, and intractable, that Mr. N. determined to sell him...and neither my mother nor I, ever heard of him again.”⁷²⁸ Ultimately, most slaves resided in plantation zones where they were unable to claim legitimate ownership of their goods and families and much of the time were dependent upon the provisions of owners for survival. The domestic relation among slaves, however, is far more complicated than the typical narratives of triumph and/or loss.

Due to the instability of slave unions it is difficult to uncover any pure consistencies in slave testimonials regarding marriage in the antebellum period, except for the understanding that a legally protected marriage remained unattainable for enslaved laborers. Whether one was a house servant or a field hand, married by a preacher, over a broomstick, or simply took up residence with one another, slave laws defined such unions the same way: legally invalid. Slave marriages in the antebellum South took place in a period of transition, in which one million people were sold from the older slave states along the Atlantic seaboard into the interior “Deep South” as American

⁷²⁷ Drew, *North-Side View of Slavery*, 58.

⁷²⁸ Henson, *The Life of Josiah Henson*, 1-2.

imperialist agendas expanded their territories to the West from 1820-1860.⁷²⁹ Much to the chagrin of northern and British abolitionists, enslaved spouses were often forcibly separated for financial gain as black laborers were fed to the ravenous sugar markets of Louisiana and the expanding cotton plantations of newly claimed slave territories in the southwest. One ex-slave who resided in Canada at the time of his interview argued that “Whipping and slashing are bad enough, but selling children from their mothers and husbands from their wives is worse.”⁷³⁰ In a rare instance of a documented complaint from slaves to their master, “Sukey and Ersey” wrote to Virginia slave owner Nathaniel Beverley Tucker that they had become much attached to their residence in Virginia because their husbands were there, and they could not “bear to go to Texas with a parcel of strangers—if you were there we should go without saying a word, but to be separated from our husbands forever in this world would make us unhappy for life.”⁷³¹ Such inequitable circumstances provoke one fundamental question: why would slaves bother seeking unions in the midst of such domestic turmoil? What did marriage provide to enslaved couples, even when it is not recognized legally? The answers to such questions are certainly complex, but numerous testimonials reveal, at least in part, their motivations.

In certain circumstances enslaved people experienced not only a marital relation, but a wedding ceremony that provided psychological and emotional stability to potentially disgruntled slaves. In her 1848 interview, ex-slave Charity Bowery exclaimed

⁷²⁹ Johnson *Soul by Soul*; Tadman, *Speculators and Slaves*; Deyle, *Carry Me Back*; Ford, *Deliver Us From Evil*; Berlin, *The Making of African America*.

⁷³⁰ Drew, *A North-Side View of Slavery*, 54.

⁷³¹ Susan “Sukey and Ersey to Nathaniel Beverley Tucker, October 24th, 1842,” in *Slave Testimony*, 13.

“I had a wedding when I was married; for mistress didn’t like to have *her* people take up with another, without any minister to marry them.”⁷³² The emphasis upon “*her*” is found in the original text, suggesting that Bowery intentionally emphasized the supposedly familial nature of her plantation unit where she served as a favored domestic servant with genealogical ties to the North Carolina plantation. As white slave owners attempted to foster loyalty, stability, and promote an image of benevolent slave-holding, marriage was one of the most advertised components of the South’s supposed alterations in their dealings with enslaved laborers. Kentucky slave Israel Campbell gained his master’s favor and experienced a wedding in which he and his bride made wedding plans, conducted dress fittings, and had their bonds solemnized by a Justice of the Peace.⁷³³ Campbell’s experience was probably an anomaly when compared to most slave weddings described by former slaves, but it does reveal how the wedding factored into a type of rewards system that internally stratified the slave community between those who gained the master’s favor, and those who had not.

Most slaves understood that the wedding ceremony was mutually beneficial, as it provided slaves with a moment of recognition not typically available under chattel slavery, and allowed the master to display his personal wealth and paternalistic ethos to the larger community. In the narrative of Reverend J.W. Loguen a slave marriage was

⁷³² “Charity Bowery,” in *Slave Testimony: Two Centuries of Letters, Speeches, Interviews, and Autobiographies*, ed. John W. Blassingame (Baton Rouge: Louisiana State University Press, 1977), 262. Also quoted in Booker T. Washington, “The Negro’s Life in Slavery: The Second Article in the Story of the Negro,” *Outlook* (Sept. 11, 1909). For descriptions of other slave wedding ceremonies see: L.H. Holsey, *Autobiography, Sermons, Addresses, and Essays* (Atlanta, GA: The Franklin Printing and Publishing Co., 1898), 11-12.

⁷³³ Israel Campbell, *An Autobiography, Bond and Free: or, Yearnings for Freedom, from My Green Brier House. Being the Story of My Life in Bondage, and My Life in Freedom* (Philadelphia: The Author, 1861), 58.

“sometimes accommodated to the affections of the parties--always to the interest of the slaveholder.”⁷³⁴ In the reflections of former Mississippi slave Louis Hughes, he remembered his wedding ceremony as a promise that his master made him in exchange for loyalty. The celebration included invitations extended to neighboring plantations along with a minister, and Hughes concluded that the master’s motivations extended from the fact that “he was very proud, and liked praise.”⁷³⁵ Slaves were mindful of the benefits the wedding celebration provided them, but remained aware of how the master’s pride might also motivate their actions. In other instances, however, slaves found ways to marry themselves. “If a man on one plantation want to marry a girl on another,” recalled former Georgia slave Catherine Beale, “and he asked her Marster for her and he will not let em marry, they would slip off and sleep together anyway.”⁷³⁶ In this instance the union was meaningful to the slaves, even if it was conducted in private and not recognized by the law or the individual master. Such cases illustrate the determination of many enslaved laborers to secure companionship despite their understanding that the union was dubious in the eyes of the law.

The communal nature of the wedding served as a moment in which the possibility of stable family life was a reality, but the nature of southern slavery always provided a significant caveat to this ideal. In one harrowing example, an anonymous woman enslaved in Kentucky recollected to British abolitionist James Redpath that she was married by a minister at her master’s house with instructions to “join these people

⁷³⁴ Rev. J.W. Loguen, *The Rev. J. W. Loguen, as a Slave and as a Freeman. A Narrative of Real Life* (Syracuse, NY: J. G. K. Truair & Co., 1859), 38.

⁷³⁵ Louis Hughes, *Thirty Years a Slave. From Bondage to Freedom. The Institution of Slavery as Seen on the Plantation and in the Home of the Planter* (Milwaukee, WI: South Side Printing Company, 1897), 94.

⁷³⁶ “Catherine Beale,” in *Slave Testimony*, 578.

together; that is, till I choose to make a separation.”⁷³⁷ In reflecting on the phrase, she maintained “I was young and happy and didn’t think much about it then, but I’ve often, often thought about it since.”⁷³⁸ The reflection suggests that even at the announcement of separation the ceremony overshadowed the cold reality that awaited. The matter-of-fact circumstances of spousal rupture inherent within the southern slave system caused this particular woman to only realize this degree of human cost after she was faced with its reality.

Ritual Practice

A prominent question in both contemporary sources and secondary literature concerns how slaves married and what rituals they preferred. The historiography correctly notes that slaves employed diverse marriage rituals by the nineteenth century, but more remains to be done in calibrating the frequency of such rituals. This section utilizes quantitative data to ascertain the prominence of particular marriage rituals within the narratives of former slaves interviewed during the depression-era, as these narratives hold similarities in their methods of data collection that separate them from the antebellum and postbellum autobiographies dictated by ex-slaves. While these latter sources are utilized for qualitative purposes to complement the depression-era narratives, I contend that confining the quantification to narratives with similar methodologies

⁷³⁷ “Theory of the Marriage of Slaves,” in *The Roving Editor, or Talks with Slaves in the Southern States* by James Redpath, ed. John R. McKivigan (University Park, PA: Pennsylvania State University Press, 1996), 259.

⁷³⁸ “Theory of the Marriage of Slaves,” *The Roving Editor*, 259.

produces the best representative sample for contextualizing the diversity of slave marriage rituals.

An important component to consider is that slaves by this point were largely a creole-born population and were relatively familiar with customs that emerged from the Euro-Christian worldview.⁷³⁹ But slaves' employment of differing marriage rituals complicates these discussions, since marriage straddled the line between a legal and religious identity. Slaves held access to the religious connotations of matrimony, but were barred from its legal recognition. As a result their marital rituals were strikingly diverse and varied according to the individual. A number of favored slaves received a wedding sponsored by the white minister, while other couples requested an educated slave to sanction the union. Numerous enslaved couples appropriated the European custom of jumping the broom, while many decided to forego any ritual and pledge their love privately. In essence, narrowing "slave marriage" into a single category is impossible due to the diverse nature of the ceremonies utilized.

With the recent exception of historian Patrick O'Neil, most previous analyses of "jumping the broom" have not extensively analyzed how and why slaves utilized the ritual after they appropriated it in the antebellum period.⁷⁴⁰ Seeking to demystify the

⁷³⁹ For one of the best explanations of this transition from the colonial to antebellum period see Gomez, *Exchanging our Country Marks*.

⁷⁴⁰ Patrick O'Neil, "Tying the Knots: The Nationalization of Wedding Rituals in Antebellum America," (Ph.D Dissertation: University of North Carolina-Chapel Hill, 2009), 186-231. O'Neil also published an article based upon a chapter from his dissertation: Patrick O'Neil, "Bosses and Broomsticks: Ritual and Authority in Antebellum Slave Weddings" *Journal of Southern History*, 75 (2009): 29-48. References to jumping the broomstick in secondary works concerning the African American experience are exhaustive. The following list includes some of the more noteworthy works that consider slave culture and marriage patterns throughout the US South that only casually referenced the ritual: Jones, "A Cultural Middle Passage," 93-94; Malone, *Sweet Chariot*, 224; Lucas, *A History of Blacks in Kentucky*, vol. 1, 19; Hudson, *To Have and to Hold*, 159; Burton, *In My Father's House*, 150; Moneyhon, "The Slave Family,"; Dunaway, *The African American Family*, 117-118; West, *Chains of Love*, 33. Rebecca Fraser's work is an

custom's origins, some previous works attempted to connect the ritual with cultural precedents in West African communities.⁷⁴¹ In contrast, folklorists and historians subsequently revealed that Atlantic Africans did not use any marital ceremonies that resembled the broomstick custom and pointed to the British Isles as the most likely place of origin.⁷⁴² The ritual took many forms in the slave South largely based upon individual preferences. For instance, former slave Mark Thrash remembered his own wedding where they would "lay the broom on the floor and jump forward and then backward holding hands," while two slaves named Miles and Charlotte "'jumped' several times back and forth over a broom repeating, 'I marry you.'"⁷⁴³ This section utilizes quantitative data to examine the ubiquity of the custom throughout the antebellum South, while simultaneously examining slaves' attitudes toward it.

A quantitative assessment of marriage references found in the nearly 3,500 twentieth-century ex-slave narratives collected through both federal and state-based initiatives helps project the approximate percentage of broomstick weddings as they

exception, as the broomstick wedding is featured more prominently than previous works, but Fraser only deals with sources from North Carolina, leaving the origins and ritual meanings of the ceremony unresolved: Fraser, *Courtship and Love Among the Enslaved in North Carolina* (Jackson, MS: University Press of Mississippi, 2007), 89, 90, 92, 103.

⁷⁴¹ The literature of "African Origins remains extensive and largely comprises works that reach popular audiences. For a selection of the most noteworthy see: Harriet Cole, *Jumping the Broom: The African American Wedding Planner* (New York: Henry Holt and Company, 1993), 18; Danita Roundtree Green, *Broom Jumping: A Celebration of Love. A Complete Guide to Keeping Traditions Alive in your Family* (Richmond: Entertaining Ideas Ltd, 1992), 3; Tolagbe M. Ogunleye, *The African Roots of Jumping the Broom* (Philadelphia: Cowrie Publishing Co., 2004); Gerald David Janes ed., *Encyclopedia of African American Society, Vol. 2* (Newbury Park: Sage Publications Inc., 2005), 87; John F. Baker, *The Washingtons of Wessyngton Plantation: Stories of my Family's Journey to Freedom* (New York: Atria Publishing, 2009), 93; Mary Ann Lamanna and Agnes Reidmann, *Marriages, Families, and Relationships: Making Choices in a Diverse Society* (2009; Belmont, CA: Wadsworth, 2012), 183.

⁷⁴² For a detailed rebuttal of the "African Origins" theory see the Dundes and Sullivan citations in footnote 3, as well as Parry, "An Irregular Union," 110-111.

⁷⁴³ First quote from Roscoe E. Lewis, "The Life of Mark Thrash," *The Phylon Quarterly*, 20 (1959): 396. Second quote from Fisher, *The Master's Slave*, 5.

compared to other ceremonial options. The narratives divulge 488 total references to marital practices that detail ritual performances with some description. These 488 ceremonies can be roughly divided into three categories: those who used the broomstick; those who used no ceremony at all; and those who used a ceremony either based upon Christian precepts or some other matrimonial format. The 146 broomstick ceremonies comprise 29% of the total ceremonies, while those who forewent any ceremony numbered 171 (33.8%) and the remaining rituals amounted to a collective 188 (37.2%).⁷⁴⁴ Despite its minority percentage amidst these broad classifications, a closer examination reveals the broomstick custom is actually referenced more frequently than other, more specific categories. For instance, references to slaves jumping the broom appear far more frequently than the 106 references (21.7%) that name either a black or white preacher who conducted a more traditional Christian service.⁷⁴⁵ Thus, while it was not a stark majority of slave matrimonial references, its prominence in the narratives

⁷⁴⁴ For most of the quantitative data references I will use representative examples in the footnotes, instead of listing the sources in their entirety. For a representative sample of “broomstick weddings” see: *The American Slave*, vol. 9, supplement series 1, *Mississippi Narratives*, part 5, 1399; *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 261; *The American Slave*, Vol. 9, *Arkansas Narratives*, part 3, 361; *The American Slave*, Vol. 13, *Georgia Narratives*, part 4, 135; *The American Slave*, vol. 3, supplement series 1, *Texas Narratives*, part 2, 667; *The American Slave*, vol. 8, supplement series 2, *Texas Narratives*, part 7, 2940. For a sample of those respondents who claimed no wedding ceremony was used see: *The American Slave*, vol. 2, *South Carolina Narratives*, part 1, 252; *The American Slave*, vol. 3, *South Carolina Narratives*, part 3, 49-50; *The American Slave*, vol. 2, supplement series 1, *Minnesota Narratives*, 118. For examples of those ceremonies appropriately deemed a “Christian wedding” see: *The American Slave*, vol. 5, *Texas Narratives*, part 3, 254; *The American Slave*, vol. 11, supplement series 1, *South Carolina Narratives*, 136; Charles L. Perdue, Jr., Thomas E. Barden, and Robert K. Phillips, eds., *Weevils in the Wheat: Interviews with Virginia Ex-Slaves* (Charlottesville, VA: University Press of Virginia, 1976), 231.

⁷⁴⁵ The reference to weddings performed by a preacher include those in which jumping the broom was fused with the traditional “church wedding”, at times leading to some overlap between the categories. The preacher’s racial identity is not always disclosed, as is seen in the narrative of Martha Harper Robinson: Perdue et al, eds., *Weevils in the Wheat*, 240. For an example of a black preacher see *The American Slave*, vol. 8, supplement series 2, *Texas Narratives*, part 7, 3354. For a white preacher see *The American Slave*, vol. 1, supplement series 1, *Alabama Narratives*, 251. References to magistrates and Justices of the Peace were rare, only amounting to six total references, but Creole slave Donaville Broussard recollected his aunt jumped the broom in front of the Justice of the Peace in Louisiana, see: *The American Slave*, vol. 4, *Texas Narratives*, part 1, 152.

certainly merits more extended attention to its function in the social lives of enslaved laborers.

The 146 narratives collectively challenge previous arguments “that the broomstick ritual was almost universally imposed on slaves by the masters”.⁷⁴⁶ The imposition argument is premised upon the idea that careful attention to the words and phrases used during the wedding service demonstrate that slaves held little control over their marital rites. However, in the case of the ex-slave testimonies a few problems exist with the historiographical claim that language utilization equals a coerced ceremony. First, previous quantitative data found that only 23 out of the 100 narratives used documented evidence of coercive language, which is hardly a majority. Additionally, many of the narratives considered “coercive” do not contain clearly coercive language upon a closer reading. One respondent named Will Dill, whose testimony is believed to hold such language, revealed that “his father and mother were married by a “jack-leg” preacher who, when told that they wanted to get married, had them both to jump backwards and forwards over a broom. He then told them that they were man and wife.”⁷⁴⁷ In this narrative the “jack-leg” (bogus) preacher does not use any abusive language and the master is not present in the description.⁷⁴⁸ Similarly, ex-slave Callie Williams’ narrative is also used within the imposition argument: “When any of de slaves

⁷⁴⁶ O’Neil, “Tying the Knots,” 216.

⁷⁴⁷ *The American Slave*, vol. 2, *South Carolina Narratives*, part 1, 323. Patrick O’Neil suggests that the phrase “had them jump”, alongside similar reference, reveals coercion. See O’Neil, “Tying the Knots,” 346 and O’Neil, “Bosses and Broomsticks,” 43-44, fnnt. 21.

⁷⁴⁸ The notion that “jack-leg” means “bogus” was discovered through research in black communities throughout Chicago by anthropologist John Langston Gwaltney in *Drylongso: A Self-Portrait of Black America* (New York: Random House, 1980), xvi.

wanted to get married dey would go to de big house and tell marster and he'd get his broomstick and say... 'Jine hands and jump de broomstick and you is married.'"⁷⁴⁹ In this case the master is present, but the custom does not appear imposed upon the participants. Such ceremonies hardly appear coercive, but previous works maintain that the words "had them jump", or the master's improvised position as minister, connotes a forced enactment. Numerous other accounts that employed identical phrases hold similar problems.⁷⁵⁰

Data from the ex-slave narratives reveal that coercing slaves to perform a *specific* ritual was not a frequent occurrence. Masters were typically prone to demonstrate their authority through more assertive methods, such as forced mating or sexual violence. In one of the more revolting descriptions, Sam and Louisa Everett recalled that their marriage ceremony under slavery was to perform sexual acts upon each other while the master observed: "He told us what we must git busy and do in his presence, and we had to do it. After that we were considered man and wife."⁷⁵¹ In this case, coercion is present through more sadistic methods, and demonstrates that masters certainly held more efficient means for imposing their wills than encouraging the slaves to use a European

⁷⁴⁹*The American Slave*, vol. 6, *Alabama Narratives*, 428. Patrick O'Neil contends that the words "told" or "tell" suggest coercion. See O'Neil, "Tying the Knots," 346.

⁷⁵⁰ For a full list of these narratives see: O'Neil, "Tying the Knots," 343-347. In one example, George Taylor of Mobile, Alabama stated "De way us married would be to go to de big house, an' ol' Marster had us to jump over a broom stick, and den us was considered married," in *The American Slave*, vol. 6, *Alabama Narratives*, 372. In Jeff Calhoun's narrative the master performs the ceremony, but slaves could call off the wedding if they were unsure they wanted to marry. This action suggests that slaves were able to make decisions within the ceremony, without worrying about wasting the master's time, see *The American Slave* vol. 4, *Texas Narratives*, part 1, 189. The testimony of Lula Washington is also rather brief and does not express much coercion, see: *The American Slave*, vol. 13, *Georgia Narratives*, part 4, 135; Also see *The American Slave* vol. 12, *Georgia Narratives*, part 2, 261; *The American Slave: The Composite Autobiography*, vol. 16, *Kentucky Narratives*, 33.

⁷⁵¹ *The American Slave*, vol. 17, *Florida Narratives*, 128.

folk custom. But even if coercive phrases are used as definitive evidence, only eighteen narratives out of 146 suggest that the master used this type of language, amounting to roughly 12.3 percent.⁷⁵² The primary issue for scholars is to separate the master's influence from the master's presence. In certain cases the master and mistress were present at the ceremony, but appear peripheral to the actual enactment of the ritual. In the narrative of Charlie King, for instance, the "Master and mistress were present at the wedding. The broom was laid down on the floor, the couple held each other's hands and stepped backward over it, then the Master told the crowd that the couple were man and wife."⁷⁵³ The owners in this case were cited as observers during the slaves' reverse broomstick jump, and the master only interjects by announcing his recognition that they were man and wife. In some cases the broomstick ceremony was even used by legitimate religious figures. Willis Cofer remembered a white preacher initiated the broomstick ceremony, and did not attest to the master's influence.⁷⁵⁴ For most slave communities the master's presence would have been worthy of note, but the narratives do not collectively suggest the master was present in the majority of the weddings.

⁷⁵² The following narratives hold language in which slaves were "made" "commanded" or "told", words that hold much stronger coercive connotations. I have also included references that display language that is particularly degrading. While I contend that problems arise in detailing coercive language within folk memory, these references are provided for the reader's further perusal. *The American Slave* vol. 4, *Texas Narratives*, part 1, 152; *The American Slave*, vol. 8, *Arkansas Narratives*, part 2, 246; *The American Slave*, vol. 9, *Arkansas Narratives*, part 3, 39; *The American Slave*, vol. 11, *Arkansas Narratives*, 110, 198; *The American Slave*, vol. 12, *Georgia Narratives*, part 1, 307, part 2, 276; *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 77, part 4, 189-190; *The American Slave*, vol. 15, *North Carolina Narratives*, 434-435; *The American Slave*, vol. 16, *Virginia Narratives*, 13; *The American Slave*, vol. 6, supplement series 1, *Mississippi Narratives*, 103-104, 154; *The American Slave*, vol. 7, supplement series 1, *Mississippi Narratives*, 595; *The American Slave*, vol. 9, supplement series 1, *Mississippi Narratives*, 1400; *The American Slave*, vol. 2, supplement series 2, *Texas Narratives*, 281; *The American Slave*, vol. 7, supplement series 2, *Texas Narratives*, 2587; Ronnie W. Clayton, ed., *Mother Wit: The Ex-Slave Narratives of the Louisiana Writer's Project* (New York: Peter Lang, 1990), 108.

⁷⁵³ *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 16.

⁷⁵⁴ *The American Slave*, vol. 12, *Georgia Narratives*, 207. See also Coleman, *Slavery Times*, 57.

One way to comprehend these statistics is to note that broomstick weddings held different connotations depending upon the plantation's unique cultural development. In Hattie Cole's account "De cullud fo'ks jus' 'gree 'twix demse'ves dat dey be man an' wife...[and] deys have ceremony dat deys 'ranged. 'Twas steppin' over de broom together dat am put on de flooah, wid thar hands clasped."⁷⁵⁵ In this instance slaves arranged the ceremony independently and selected their partner apart from the master's approbation. From the quantitative data, 39.5% of the narratives reveal that the master was involved in the performance of the wedding, while the remaining narratives suggest he was either an observer, not involved at all, or was simply not referenced.⁷⁵⁶ But the

⁷⁵⁵ *The American Slave*, vol. 3, *Texas Narratives*, 776.

⁷⁵⁶ Since this is a rather important point I have listed all of the narratives, excluding those categorized as "colloquial". For those accounts in which the master/mistress is mentioned see: *The American Slave*, vol. 4, *Texas Narratives*, part 1, 45-46, 152, 189, 206-207, 218, 293; *The American Slave*, vol. 5, *Texas Narratives*, part 3, 64, 244; part 4, 136; *The American Slave*, vol. 6, *Alabama Narratives*, 107, 155-156, 257, 372, 428; *The American Slave*, vol. 8, *Arkansas Narratives*, part 1, 325; part 2, 246; *The American Slave*, vol. 9, *Arkansas Narratives*, part 3, 39; part 4, 229; *The American Slave*, vol. 10, *Arkansas Narratives*, part 5, 329-330; *The American Slave*, vol. 11, *Arkansas Narratives*, part 7, 132, 198, 245-246; *The American Slave*, vol. 11, *Missouri Narratives*, 249; *The American Slave*, vol. 12, *Georgia Narratives*, part 1, 67, 307; part 2, 175-176, 261, 276; *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 16, 77, 261; part 4, 22, 135, 165, 189-190; *The American Slave*, vol. 14, *North Carolina Narratives*, 286-288; *The American Slave*, vol. 15, *North Carolina Narratives*, 175, 374, 434-435; *The American slave*, vol. 16, *Kentucky Narratives*, 33; *The American Slave*, vol. 16, *Maryland Narratives*, 7; *The American Slave*, vol. 16, *Virginia Narratives*, 13, 52; Clayton, ed., *Mother Wit*, 108, 217; *The American Slave*, vol. 6, supplement series 1, *Mississippi Narratives*, 103-104, 154; *The American Slave*, vol. 7, supplement series 1, *Mississippi Narratives*, 595; *The American Slave*, vol. 9, supplement series 1, *Mississippi Narratives*, 1399-1400, 1423; *The American Slave*, vol. 2, supplement series 2, *Texas Narratives*, 140, 217, 281; *The American Slave*, vol. 5, supplement series 2, *Texas Narratives*, 1606; *The American Slave*, vol. 7, supplement series 2, *Texas Narratives*, 2587; *The American Slave*, vol. 8, supplement series 2, *Texas Narratives*, 3249; Perdue, *Weevils in the Wheat*, 245. For those accounts that master/mistress is not mentioned see *The American Slave*, vol. 2, *South Carolina Narratives*, 323; *The American Slave*, vol. 2, *South Carolina Narratives*, part 2, 9; *The American Slave*, vol. 4, *Texas Narratives*, part 1, 158; part 2, 23, 121; *The American Slave*, vol. 5, *Texas Narratives*, part 3, 108, 212, 272; part 4, 105; *The American Slave*, vol. 6, *Alabama Narratives*, 280; *The American Slave*, vol. 7, *Oklahoma Narratives*, 32, 73, 204, 207, 231, 295; *The American Slave*, vol. 7, *Mississippi Narratives*, 87; *The American Slave*, vol. 8, *Arkansas Narratives*, part 1, 69, 75; part 2, 76, 215, 260; *The American Slave*, vol. 9, *Arkansas Narratives*, part 3, 75, 224, 361; part 4, 102; *The American Slave*, vol. 10, *Arkansas Narratives*, part 6, 307, 341, 349; *The American Slave*, vol. 11, *Arkansas Narratives*, part 7, 138-139, 145, 207; *The American Slave*, vol. 12, *Georgia Narratives*, part 1, 101, 170, 207, 303; part 2, 76, 344; *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 49, 74, 118, 139, 187, 206, 333; part 4, 84-85, 216, 229; *The American Slave*, vol. 14, *North Carolina Narratives*, 31, 118, 185; *The American Slave*, vol. 15, *North Carolina Narratives*, 195; *The American Slave*, vol. 16, *Virginia Narratives*, 15; *The American Slave*, vol. 16, *Tennessee Narratives*,

master's presence at the ceremony was often remembered as a small detail, as in the testimony of former slave Joe Barnes who simply stated "Massa marry de folks in de broomstick style. Us don't have de party but sometime us sing and play games."⁷⁵⁷ Slave wedding ceremonies ultimately depended on multifaceted negotiations between slaves and masters, and no plantation was the same. It is a generalization to suggest that the majority of masters forced a particular ceremony, as it is equally difficult to claim all slaves wholeheartedly embraced the broomstick tradition.

The answer lies somewhere between the two arguments. Sometimes slaves jumped the broom because "that was all the marriage they knowed about," other times it was preferred, and sometimes it was enacted at the slave owner's endorsement.⁷⁵⁸ Some masters ensured that broomstick weddings were celebratory occasions, as manifested in Jephtha Choice's account of a slave wedding in Texas where the "white folks" formed a ring around the couple prior to the jump.⁷⁵⁹ The white audience's celebratory ring suggests that for a brief moment this group of elite whites was captive to the ceremonial structure of a slave wedding, and if only symbolically, significantly reversed the power

34; *The American Slave*, vol. 17, *Florida Narratives*, 176; *The American Slave*, vol. 18, *Unwritten History of Slavery*, 124, 174, 175-176, 195, 300; *The American Slave*, vol. 1, supplement series 1, *Alabama Narratives*, 280, 425; *The American Slave*, vol. 3, supplement series 1, *Georgia Narratives*, 225; *The American Slave*, vol. 6, supplement series 1, *Mississippi Narratives*, 179; *The American Slave*, vol. 7, supplement series 1, *Mississippi Narratives*, 343, 356, 410; *The American Slave*, vol. 8, supplement series 1, 1270, 1307; *The American Slave*, vol. 10, supplement series 1, *Mississippi Narratives*, 2020, 2331; *The American Slave*, vol. 3, supplement series 2, *Texas Narratives*, 667, 776; *The American Slave*, vol. 4, supplement series 2, *Texas Narratives*, 1240, 1377, 1425; *The American Slave*, vol. 5, supplement series 2, *Texas Narratives*, 1662; *The American Slave*, vol. 6, supplement series 2, *Texas Narratives*, 2023, 2048; *The American Slave*, vol. 8, supplement series 2, *Texas Narratives*, 3015, 3390; *The American Slave*, vol. 10, supplement series 2, *Texas Narratives*, 3972, 4106; Perdue et al, *Weevils in the Wheat*, 122, 129, 134.

⁷⁵⁷ *The American Slave*, vol. 4, *Texas Narratives*, part 1, 46.

⁷⁵⁸ *The American Slave*, vol. 8, *Arkansas Narratives*, part 1, 69. Also see *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 77.

⁷⁵⁹ *The American Slave*, vol. 4, *Texas Narratives*, part 1, 218.

dynamics of the event. In another rendition, Charlotte Willis recalled that her grandparents' broomstick wedding "from the big house steps" served as a method the master used in "showing off the couples."⁷⁶⁰ Thus, in order for the master to maintain symbols of prestige slaves needed to participate in a visible ceremony, making the spectacle of slave marriage a product of negotiation rather than complete imposition. Masters had various reasons for involving themselves within the ceremony, and only a small percentage of the accounts suggest any forceful language was used prior to crossing over the broomstick. Even if it was used, its effectiveness in securing the master's dominance is questionable.

The tradition served practical purposes for rural groups on both sides of the Atlantic, and was used by free people throughout the British Isles and the US South. To suggest that slaves did not also appropriate the broomstick ritual and create something meaningful from their circumstances underestimates the strength of slaves' personalities. In certain communities, slaves preferred the broomstick custom over the Christian ceremony. Dora Roberts of Georgia explained that the master would read a ceremony to the couple and provide them with passes to see each other, "but de slabs dey got togedder an' have dem jump over de broomstick an' have a big celebration an' dance an' make merry 'til morning and it's time for work agin."⁷⁶¹ In this instance slaves celebrated the festivities among themselves, and appear to have endured the masters' ceremony in anticipation for the broomstick ceremony that awaited them afterwards. Similarly, former Alabama slave Stephen Varner revealed that upon conclusion of the broomstick ritual

⁷⁶⁰ *The American Slave*, vol. 11, *Arkansas Narratives*, part 7, 198.

⁷⁶¹ *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 206.

“the slaves would gather around and sing and dance for the bride and groom”.⁷⁶² Even if the individual master did not employ the broomstick ceremony, Amanda McDaniel remembered witnessing a white minister presiding over a broomstick ceremony in the presence of enslaved witnesses upon a neighboring plantation.⁷⁶³ These variegated methods of performance and observation suggest that the broomstick wedding should no longer be confined into a single, homogenous folk ritual. Despite the similarities in southern “slave culture,” slave marital enactments depended upon transatlantic exchange, communal necessity, internal class stratification, white and black cultural intersections, and master/slave negotiations.

Such wedding forms were diverse throughout the American slave population, but they bear striking resemblances to the broomstick rituals utilized by the ostracized communities of the British Isles in the eighteenth and nineteenth centuries. As noted in chapter two, groups of British Gypsies, common Anglo-Saxons, and Celtic populations of Welsh, Scottish, and Irish enclaves all utilized similar motions for their nuptials.⁷⁶⁴ Each broomstick ceremony held its own independent cultural niche developed within the community on both sides of the Atlantic. However, similar to their counterparts across the Atlantic antebellum slaves retained the basic function of leaping over the broomstick while diversifying the performative and communal aspects of the ceremony. In one example from Virginia, a female elder led the ceremony where the respondent recalled that the slaves from the plantation formed “a ring ‘roundst my mother an’ dad, an’ Ant

⁷⁶² *The American Slave*, vol. 1, supplement series 1, *Alabama Narratives*, 425.

⁷⁶³ *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 74. Also see *The American Slave* Vol. 8, *Arkansas Narratives*, part 2, 246.

⁷⁶⁴ Parry, “An Irregular Union,” 108-129.

Lucky read sumpin from de bible, an' den she put de broomstick down an' dey locked dey arms together an' jumped over it.⁷⁶⁵ The ring formation recalls an interesting connection to the symbolism of the circle in the religious practice of the “ring shout”, a ceremony where slaves maneuvered counter-clockwise in a circular motion during a prayer meeting.⁷⁶⁶ This narrative displays a rich cultural tradition that included communal support, symbolism, and recognition of the important position of elderly slaves who led the ceremony.

The ceremony's prominence among many antebellum slaves is revealed by testimonials that deemed it the “broomstick law”.⁷⁶⁷ While slave marriages were not recognized as legally binding contracts in the slave states, the appellation of “broomstick law” provided legitimacy to the wedding from the perspective of the slave community. Due to the migratory dynamics of the domestic slave trade throughout the antebellum period, jumping the broomstick became a feature of many slave marriages extending from the Mason-Dixon Line to the Deep South. While usage of the broomstick was relatively universal in every area of the Old South, broomstick weddings took variegated forms. As with many cultural fusions, re-imagining this tradition provided enslaved African Americans additional tools to resist the physical and psychological damages brought by American slavery.

⁷⁶⁵ Perdue et al., eds., *Weevils in the Wheat*, 134.

⁷⁶⁶ For secondary literature on the ring shout see Stuckey, *Slave Culture*, 3-97; Samuel A. Floyd Jr., “Ring Shout! Literary Studies, Historical Studies, and Black Music Inquiry,” *Black Music Research Journal*, 22 (2002): 49-70; Desch-Obi, *Fighting for Honor*, 129-138.

⁷⁶⁷ *The American Slave*, vol. 5, supplement series 2, *Texas Narratives*, part 4, 1377; *The American Slave*, vol. 8, supplement series 2, *Texas Narratives*, part 7, 3015.

One of the less appreciated components of the broomstick wedding concerns the role of the figure who presided over the ceremony. Caroline Johnson Harris recollected that on one Virginia plantation a female elder named “Ant Sue” presided over the ceremony and commanded significant respect:

Didn’t have to ask Marsa or nothin’. Just go to Ant Sue an’ tell her you want to git mated...She called all de slaves arter tasks to pray fo’ de union dat God was gonna make. Pray we stay together and have lots of chillum an’ none of ‘em git sol’ way from de parents. Den she lay a broomstick cross de sill of de house we gonna live in an’ jine our hands together. Fo’ we step over it she ast us once mo’ if we was sho we wanted to git married. ‘Course we say yes. Den she say, “In de eyes of Jesus step into Holy land of mat-de-money.” When we step cross the broomstick, we was married.⁷⁶⁸

The significance here is not only in its similarities to the aforementioned rituals, but that it was also conducted exclusively by slaves with no evidence of white interference. The words of Aunt Sue’s ceremony were pertinent to the needs of this Virginia slave community, which likely feared the destruction of their kinship ties due to the domestic slave trade that sold African Americans from the Upper South to the slave states of the Old Southwest.

Other accounts reveal the importance of an elder slave’s counsel during the marital process. In a visit to the antebellum South, northern abolitionist Mary Livermore recorded the testimony of an enslaved presiding elder named Uncle Aaron who exclaimed: “Pompey an’ Susan...dis yere is as solem’ as a buryin’. Yo’s gwine t’ jump in t’

⁷⁶⁸ Perdue et al., *Weevils in the Wheat*, 129.

de married state, an' may God hab mercy on youah souls! Look squar' at de broomstick! I'll count three, an'den you jump. All ready now! One—two—three — jump! Now you is husban' an' wife, an' orter live happy all de rest o' youah days!” The plea for God to “hab mercy” on their souls reveals antebellum slaves recognized that marriage held religious connotations despite the absence of a white minister. Uncle Aaron, however, was only responsible for the marriages of the field hands, and his account was an honest description of how slaves’ internal class delineations were expressed through their matrimonial performances: “De fiel' han's am willin' t' jump de broomstick, but when de house sarvans gwine t' marry, dey wants a white preacher...but de broomstick's jess as bindin' as de preacher.”⁷⁶⁹ His contention that jumping the broomstick was primarily a practice among “field hands” holds broader implications for societal expectations of the marriage ceremony, and the idea that domestic slaves were closer to “whiteness” than their contemporaries in the fields. Similar to their British and Anglo-American counterparts, some former slaves believed that certain marital rituals were reserved for less-refined populations. James Bolton of Georgia recollected that field hands often married privately by jumping the broom, but house servants “sometimes...married on the back porch or in the back yard at the big house.”⁷⁷⁰ Bolton’s recollection suggests that enslaved laborers were conscious of the distinction, but those slaves who used the broomstick wedding continued to infuse meaning into the ceremony. On both sides of the Atlantic, folk customs differentiated a favored minority from the common majority.

⁷⁶⁹ Livermore, *The Story of My Life*, 256.

⁷⁷⁰ *The American Slave*, vol. 12, *Georgia Narratives*, part 1, 101. In a similar example, Rosa Starke of South Carolina contended that multiple classes existed within the slave community and one would “never see a house gal lower herself by marryin’ and matin’ wid a common field-hand nigger.” *The American Slave*, vol. 3, *South Carolina Narratives*, part 4, 148.

One unique innovation found in Tennessee involved balancing objects like glasses of water or candles on each other's heads during the leap across the broomstick.⁷⁷¹ In this ceremony the talents of the young couple were put on display to heighten the festivities, which doubtlessly helped the enslaved cope with the stress of potential forced separation, if only briefly. In another example "the man would lay the broom down on the floor with the bushy end to the north, then he would take the girl by the hand, then they step over the broom, then backward again. Then the girl picked up the broom, laying it down again with the bushy end to the south, then the girl took the man by the hand and they step over it and backward again, to keep evil away and bad spirits through their life."⁷⁷² These folk rituals suggest that many slaves not only appropriated the ritual, but imaginatively recreated the tradition for purposes of community sanction and entertainment.

Slaves were not the only community to use the ritual in the nineteenth century, and some documents reveal that slave communities were aware of at least one other group who used similar matrimonial enactments. After revealing that his community practiced the broomstick wedding, former North Carolina slave Willis Cozart asserted a surprising revelation: "De pore white folks done de same."⁷⁷³ This comment not only provides a glimpse into the ritual practice of Cozart's community, but also a statement regarding the knowledge slaves held of their surroundings. In referencing another groups' use of the practice, Cozart revealed his comprehension that slaves were not alone in employing a ritual the master class likely perceived as a degrading folk custom. Ex-slave

⁷⁷¹ *The American Slave*, vol. 18, *Unwritten History of Slavery*, 78.

⁷⁷² Harry Middleton Hyatt, *Folklore from Adams County, Illinois* 2nd ed. (New York: Alma Egan Hyatt Foundation, 1965): 465.

⁷⁷³ *The American Slave*, vol. 14, *North Carolina Narratives*, part 1, 185.

Lonnie Pondley of Georgia explained that “it didn’t make no difference, white or colored, if there was a wedding you could hear it all around. ‘Are you going to the broom jumping tonight’? Everybody would go.”⁷⁷⁴ In this case different racial groups from various social statuses observed the ceremony and appreciated its significance, providing another method in explaining how the ritual became ubiquitous in folk knowledge throughout the South. Thus, the permeation of this folk ritual throughout the South helps explain how slaves viewed the custom amidst the knowledge that other groups also utilized the wedding ritual.

A prominent theme in many slave narratives concerns the influence of class distinction within marital selection and ceremony. Analyzing how marital rites were negotiated differently upon individual plantations remains fertile ground for further inquiry. Past scholarship has certainly noted the differences in the ceremonies that slaves used, but marriage offers a unique vantage point in uncovering how status was articulated through one’s ability to engage in ceremony. Since chattel slaves could not hold property, a primary form of socio-economic distinction in American society, they articulated their social capital in other ways. An important distinction for many house servants from their counterparts who labored in the fields was framed through their access to a traditional Christian marriage ceremony and their hesitancy to forfeit their status by marrying field hands. Such notions largely reflected the interplay between masculinity and class stratification within the antebellum South. Former North Carolina slave Allen Parker argued that a male slave always initiated the courtship and status determined his eligibility. If he was “good looking” and resided upon a plantation of a prominent slave-

⁷⁷⁴ Interview with Lonnie Pondley in *Slavery Time when I was Chillun Down on Marster’s Plantation*, eds. Ronald Killion and Charles Waller (Savannah, GA: The Beehive Press, 1973), 86.

owning family he was typically accepted, but if he was considered “a ‘no-account nigger’ owned by a failed planter or let out to a poor white the case was different.”⁷⁷⁵ For abroad marriages specifically, both masters and female slaves had a vested interest in assuring they selected an able-bodied male that could produce future progeny and ensure the linkage outlasted a potential threat of sale, or even worse, the forcible replacement of the woman’s original selection with a man the master preferred. In the cross-plantation union of Peter and Vina Still, both remembered that Vina’s master “Mr. McKiernan had always fancied Peter, and longed to own him...he determined to encourage him to marry Vina, that then he might...induce his brother-in-law to sell him.”⁷⁷⁶ Peter’s likability among the plantation owners along with his general acceptance within the slave community made him a prime candidate for courting Vina.

In a rare account displaying the request for a master’s consent, one document noted the male “would be carefully looked over to see if he had any defects that would be objectional if transmitted to his offspring.”⁷⁷⁷ These experiences informed generations of enslaved laborers that their marriages were viewed as investments by the ruling elite, but slaves themselves were also prone to discriminatory selection. The narrative of former South Carolina slave Rosa Starke provides one of the most detailed descriptions of class stratification within the slave community. Starke suggested that while “dere was just two classes to de white folks,” she listed six categories for enslaved laborers. The first class included house servants such as butlers, nurses, and cooks; the second group was

⁷⁷⁵ Allen Parker, *Recollections of Slavery Times* (Worcester, MA: Chas. W. Burbank & Co., 1895), 23.

⁷⁷⁶ Kate E.R. Pickard, *The Kidnapped and the Ransomed. Being the Personal Recollections of Peter Still and his Wife ‘Vina,’ After Forty Years of Slavery* (Syracuse, NY: William T. Hamilton, 1856), 109.

⁷⁷⁷ Parker, *Recollections*, 26.

comprised of carriage drivers, gardeners, barbers, and stable men; the third set contained wheelwright, wagoners, blacksmiths, and foremen; the fourth class incorporated “de cow men ad de niggers dat have care of de dogs.”⁷⁷⁸ Starke calibrated the status of these aforementioned groups due to the idea that they possessed “good houses and never have to work hard or get a beatin’.”⁷⁷⁹ The fifth group included the threshers of wheat, millers of corn and those slaves that fed the cotton gin. Unsurprisingly, those who inhabited the “bottom class was de common field niggers.”⁷⁸⁰

While Starke may have embellished her strict categorization of enslaved social groups, her illustration was effective in highlighting her ultimate point. Starke maintained that although “a house nigger man might swoop down and mate wid a field hand’s good lookin’ daughter” one would “never see a house gal lower herself by marryin’ and matin’ wid a common field-hand nigger.”⁷⁸¹ By placing four categories of separation between the “first class” of slaves with the last Starke illustrated the severity of marrying outside one’s social rank. In mimicking the actions of the slave masters, Starke’s narrative suggests that it was considered appropriate for privileged male slaves to descend the social ranks in looking for a potential mate, but male fieldhands ascending the social ladder remained a cultural taboo.

Despite the physically less strenuous labor requirements some domestic slaves apparently preferred life in the field, hoping to escape the constant surveillance that came

⁷⁷⁸ George P. Rawick, ed., *The American Slave: A Composite Autobiography*, vol. 3, *South Carolina Narratives* (Westport, CN: Greenwood Publishing Company, 1972), part 4, 148.

⁷⁷⁹ Rawick, ed., *The American Slave*, vol. 3, *South Carolina Narratives*, part 4, 148.

⁷⁸⁰ Rawick, ed., *The American Slave*, vol. 3, *South Carolina Narratives*, part 4, 148.

⁷⁸¹ Rawick, ed., *The American Slave*, vol. 3, *South Carolina Narratives*, part 4, 148.

with being a house slave. Mildred Graves, enslaved in Virginia, recalled she “was a house gal, an’ stayed in the house, an’ he worked in de field, so we didn’t git chance to git together often.”⁷⁸² Upon their first meeting her eventual husband walked her through the woodlands and proposed marriage, at which Graves said “all right ‘cause I was tired livin’ in de house where dey wasn’t no fun.”⁷⁸³ A longing to participate in the slave community motivated Graves to thwart her position and marry her husband with a traditional folk ritual “jumping the broom.” Graves’ marital condescension becomes even more fascinating when placed in the context of how slaves’ associated ritual and ceremony with one’s status within the plantation community.

Some accounts suggest that slaves’ ritual preferences were determined by their position and proximity to their white owners. Many antebellum documents suggest that lavish weddings were typically more available to house servants, while field hands were more prone to simply start residence together, or if they desired any ritual at all, jump over a broomstick. In the explanation of “Uncle Aaron” an elderly slave who performed the weddings on his own plantation: “De fiel’ han’s am willin’ t’ jump de broomstick, but when de house sarvans gwine t’ marry, dey wants a white preacher.”⁷⁸⁴ Due to the position of domestics as the “favored slaves” it is certainly plausible most of those slaves who labored in the big house had access to weddings that resembled their white counterparts. However, the diversity in ex-slave testimonies complicates this general conclusion. Dellie Lewis, a self-identified house servant remembered a hybrid ceremony

⁷⁸² “Mrs. Mildred Graves,” in *Weevils in the Wheat*: 122.

⁷⁸³ “Mrs. Midlred Graves,” in *Weevils in the Wheat*, 122.

⁷⁸⁴ Livermore, *The Story of My Life*, 256.

that combined Christian ceremony with the broomstick ritual, in which “de massa read de ceremony an’ de couples would step off over a broomstick for luck. Den we all had a big supper, an’ dere was music an’ dancin’ by de plenty.”⁷⁸⁵ Despite the notion that this ritual was determined unsuitable for the more civilized class of slaves, the customs of Dellie Lewis’ individual plantation dictated that the broomstick marriage was the norm, but it was expanded to include items used at traditional weddings, such as a book reading, food, and dancing.

Ritual performance was dependent upon various factors, including the preferences of the individual master, willingness of enslaved participants to engage the rituals, and the size of the individual holding. In one of the more harrowing examples, William Wells Brown’s stage play *The Escape* drew upon the familiar trope of slave marriage to demonstrate the racial inequity of American slavery. The comment on class distinction within the slave community comes from a reference by the character Dolly, who served as a broom-holder at the forced broomstick marriage of two house slaves named Hannah and Cato. After the ceremony she engaged in conversation with Susan, who served as the ceremony’s other broom-holder: “I tell you what, Susan, when I get married, I is gwine to have a preacher marry me. I ain’t gwine to jump de broomstick. Dat will do for fiel’ hands, but house servants ought to be above that.”⁷⁸⁶ Appealing to the abolitionist sentiments of his audience Brown used fiction to explain how slavery not only instigated inequity amongst whites and blacks in the South, but led to internal divisions as well.

⁷⁸⁵ Rawick, ed., *The American Slave*, vol. 6, *Alabama Narratives*, part 1, 257.

⁷⁸⁶ William Wells Brown, *The Escape; or A Leap for Freedom. A Drama in Five Acts*, ed. John Ernest (orig. published 1856; Knoxville: The University of Tennessee Press, 2001), 26.

The reimagined versions of Christianity articulated amongst enslaved laborers provided one component through which they opposed the system, even if the effects were more symbolic than literal. Believing in the same God as their white masters and holding knowledge of the doctrine of marriage sanctioned by the Bible, slaves could ultimately lay claim to a higher authority who sanctified their unions. In Rev. Thomas H. Jones reflection of his marriage to Lucilla Smith: “*We called it and we considered it a true marriage*, although we well knew that marriage was not permitted to the slaves as a sacred right of the loving heart.”⁷⁸⁷ The emphasis upon the first person pronouns and the statement of “true marriage” is illustrative of Jones’ main point that considers the marital union from a source higher than the laws of the land. Even if marital rites were not physically respected the union’s recognition by the Christian deity affirmed the marriage’s validity in the minds of the slave couple.

Slaves sometimes engaged the marital contract in opposition to the master’s wishes, causing severe friction between the two parties that did not always conclude in the master’s favor. James Curry, a slave born in antebellum North Carolina, desired to marry a free black woman in spite of his master’s violent and vituperative objections. Foregoing any of the “trifling ceremony allowed to slaves,” Curry and his wife married privately with the belief that God recognized their marriage and a formal ceremony was unnecessary.⁷⁸⁸ When confronted by his master, who threatened to cut him ear to ear, Curry remained stalwart and defiant in the face of his master’s threats: “I knew he would not kill me, because I was money to him... I knew I could run away if he punished

⁷⁸⁷ Thomas H. Jones, *The Experience of Rev. Thomas H. Jones, Who was a Slave for Forty-Three Years. Written by a Friend, as Related to Him by Brother Jones* (New Bedford: E. Anthony & Sons, 1885), 29.

⁷⁸⁸ “Narrative of James Curry,” in *Slave Testimony*, 139-140.

me.”⁷⁸⁹ After a series of empty threats, Curry’s master threatened to separate the couple. A man with whom the master was previously negotiating, prior to the confrontation with Curry, overheard the argument and walked toward Curry’s master and said: “I would not do that; you know what the scripture says about separating man and wife.”⁷⁹⁰ The fact that an elite white male interjected to promote recognition that Curry’s marriage was a legitimate bond reveals that slaves recognized the moral obligation certain southerners felt to the biblical connotations within enslaved matrimony.

While Curry’s decision was meant to be confrontational, others enacted their defiance clandestinely. South Carolina slave John Andrew Jackson noted the repercussions for marrying off the plantation without his master’s approval, as he was repeatedly stripped and beaten with fifty lashes every time he was discovered visiting his wife. The master was angered at Jackson’s decision because according to custom of the antebellum South all children born from a slave couple were property of the owner of the mother, thus nullifying his master’s ability to naturally increase his slave population. Jackson, however, maintained that despite his master’s best efforts “no man can be prevented from visiting his wife, and the consequence was, that I was beaten on the average, at least every week for that offence. I shall carry these scars to my grave.”⁷⁹¹ Despite the repetitious violence inflicted upon Jackson, his narrative provides a graphic depiction of the resiliency of enslaved spouses’ devotions to one another amidst the terror of southern slavery. In a similar story, ex-slave Friday Jones wrote that upon selecting his

⁷⁸⁹ “Narrative of James Curry,” in *Slave Testimony*, 139.

⁷⁹⁰ “Narrative of James Curry,” in *Slave Testimony*, 140.

⁷⁹¹ John Andrew Jackson, *The Experience of a Slave in South Carolina* (London: Passmore & Alabaster, 1862), 21-22.

preferred mate at another plantation his master refused his request to marry, threatening that if he took his wife from another plantation he would sell him to a slave trader. When the master offered to buy him a wife, Jones agreed, but maintained secret intentions to marry the original woman of his choosing. After three years he approached his wife's master, and without disclosing his own master's opposition to the union he successfully obtained her for his wife without a wedding and they "went together, like a goose and gander".⁷⁹²

Slaves' own initiatives to claim the marital union through performance of a Christian ceremony also provide the modern scholar unique perspectives in how "marriage" was conceptualized in the minds of individual practitioners. Jennie Hill of Missouri recollected that slaves typically began living together without any formal ceremony since "a ceremony wasn't much good[,] for a slave wasn't allowed to take any vows."⁷⁹³ Hill continues her narrative, however, with a claim to her exceptionalism from these typical circumstances by explaining she "was really married" by traveling to a literate slave on another plantation. Hill stated this educated slave "said the same marriage ceremony for us that we had to say over again when we were freed...I was proud of my marriage, performed by the 'educated nigger' and I sure got mad when anybody said anything about us, not being married."⁷⁹⁴ Hill's account was certainly informed through her own first-hand experience in tandem with circumstances occurring after the Civil War. The government's demand that she go through another ceremony to

⁷⁹² Friday Jones, *Days of Bondage. Autobiography of Friday Jones. Being a Brief Narrative of his Trials and Tribulations in Slavery* (Washington, D.C.: Commercial Publishing Company, 1883), 7.

⁷⁹³ "Jennie Hill," in *Slave Testimony*, 591.

⁷⁹⁴ "Jennie Hill," in *Slave Testimony*, 592.

validate her enslaved union caused her narrative to take on a defensive tone, revealing her belief that society voided enslaved unions despite the fact that slaves themselves considered their unions on the same scale as those performed after emancipation.⁷⁹⁵

The New “Polygamy”

Slaves throughout the US South were repeatedly forced to reckon with the inconsistencies of how their marriages were treated in the southern system, and numerous accounts suggest they held various conclusions as to what connoted “marriage” in the plantation environment. Rev. J. W. Loguen dubbed the relation “the sham of negro marriage,” suggesting it was only “sometimes accommodated to the affections of the parties--always to the interest of the slaveholder.”⁷⁹⁶ For many postbellum academics and social activists slaves’ polygamous relationships were the ultimate testament to the barbarity of American slavery. Sociologist W.E.B. Dubois used slavery as a reference point for the contemporary issues of racial inequality in twentieth-century America. Speaking favorably of the polygamous institutions of Africa, Dubois argued that “the greatest social effect of American slavery was to substitute for the polygamous Negro home a new polygamy less guarded, less effective, and less civilized.”⁷⁹⁷ For Dubois traditional polygamous practices in African societies afforded the women protection and

⁷⁹⁵ Other accounts were similar in that they claimed marriages “were usually performed by a colored preacher”, though they utilized language that was less intense, see Henry Bruce, *The New Man. Twenty-Nine Years a Slave. Twenty Nine Years a Free Man* (York, PA: P. Anstadt & Sons, 1895), 74.

⁷⁹⁶ Loguen, *The Rev. J.W. Loguen*, first quote 22, second quote 38.

⁷⁹⁷ W.E.B. Dubois, *The Negro Church. Report of a Social Study Made under the Direction of Atlanta University; Together with the Proceedings of the Eighth Conference for the Study of the Negro Problems, held at Atlanta University, May 26th, 1903* (Atlanta, GA: The Atlanta University Press, 1903), 4.

opportunity for social advancement, while the “new polygamy” was based upon the individual slave’s lust for women. For Dubois this lack of restriction made it a more predatory institution that did not replicate its societal function as it existed in Africa.

Despite the academic discourses that characterized the historical memory and legacy of southern slavery, remarriage and bigamous relations were particularly prominent issues for an enslaved population that increasingly converted to Christianity throughout the nineteenth century.⁷⁹⁸ To be sure, enslaved people of African descent were not the only population accused of marital infidelity. Euro-American travelers throughout the eighteenth and nineteenth centuries commented upon the “curious species of polygamy” that existed among multiple Amerindian tribes, and historian Beverly Schwartzberg notes that white men often abandoned families without securing a legal divorce, in turn causing an array of bigamous relations throughout the United States.⁷⁹⁹ Antebellum slavery was also contemporary with the expansion of Mormonism, an American religious sect that promoted polygyny as a doctrine of “Celestial Marriage”, arguing the necessity for distinguished male church members to take additional spouses in preparation for entering the highest degree of heaven.⁸⁰⁰ Despite obsessions over

⁷⁹⁸ The date of 1830 was used in the analysis of Betty Wood and Sylvia Frey as the point where enslaved people in the United States became more “African American” and less “African” in their worldviews. Wood and Frey, *Come Shouting to Zion*.

⁷⁹⁹ Quote in Savoie Lottinville, ed., *A Journal of Travels into the Arkansas Territory During the Year 1819 by Thomas Nuttall* (Norman, OK: University of Oklahoma Press, 1980), 209. For a reference to Amerindian customs in the eighteenth century see William Bartram, *Travels Through North and South Carolina, Georgia, East and West Florida, The Cherokee Country, the Extensive Territories of the Muscogulges, or Creek Confederacy, and the Country of the Chactaws: Containing an Account of the Soil and Natural Productions of those Regions, Together with Observations on the Manners of the Indians Embellished with Copper-Plates* (Philadelphia: James and Johnson, 1791), 515. Beverly Schwartzberg, “‘Lots of Them Did That’: Desertion, Bigamy, and Marital Fluidity in Late-Nineteenth-Century America,” *Journal of Social History*, 37 (2004): 573-600.

⁸⁰⁰ Myriad literature now exists upon Mormon polygamy. For a selection of the most relevant historical analyses see Richard S. Van Wagoner, *Mormon Polygamy: A History* (Salt Lake City, UT: Signature

threats to America's monogamous standard, slaves held a unique position among all of these groups in nineteenth century. The plantation system firmly asserted itself in the decades after the American Revolution and despite the closing of the transatlantic slave trade domestic slavery spread further into the Southwest for cotton and sugar cultivation. Numerous families were ruptured by this process, and while the practice of separating enslaved spouses was not a new tactic of discipline, it gained some normalcy for many antebellum slave owners due to the immense numbers that were exported from the Atlantic seaboard into the Deep South.

Many narratives condemned the practice of separating spouses and argued that slaves who remarried while their former spouse was still living were alleviated from the traditional Christian prohibition against remarriage. Charles Thompson, an enslaved minister and chronic runaway, defended remarriage as a typical reaction of slaves forcibly sold from their spouses and used the case of his Uncle Ben as one example. In discovering that his uncle had married another woman upon his new plantation while his former wife was still living, Thompson contended that "the laws of the southern states did not recognize the legal relations of man and wife between slaves, therefore they could not commit the crime of bigamy. If Ben was morally guilty, he was forced into his guilt by law and general custom."⁸⁰¹ In a less moralistic tone, ex-slave Solomon Northrup determined that slaves of either sex "can have as many husbands or wives as the owner

Books, 1989); Linda King Newell and Valleen Tippetts Avery, *Mormon Enigma: Emma Hale Smith* (Champaign, IL: University of Illinois Press, 1994); Todd Compton, *In Sacred Loneliness: the Plural Wives of Joseph Smith* (Salt Lake City, UT: Signature Books, 1997); Cott, *Public Vows*, 77-131; George D. Smith, *Nauvoo Polygamy: "But We Called It Celestial Marriage"* (Salt Lake City, UT: Signature Books, 2011).

⁸⁰¹ Charles Thompson, *Biography of a Slave; Being the Experiences of Rev. Charles Thompson, A Preacher of the United Brethren Church, While a Slave in the South. Together with Startling Occurrences Incidental to Slave Life* (Dayton, OH: United Brethren publishing House, 1875), 53-54.

will permit, and either is at liberty to discard the other at pleasure. The law in relation to divorce, or to bigamy, and so forth, is not applicable to property, of course.”⁸⁰² “Bigamy” for many ex-slave commentators was a legal definition that was inapplicable for slaves due to their unique circumstances. Thompson’s Uncle Ben was a product of forced familial separation, and in the traditions of most slave communities was free to marry again. Slaves testified that the antebellum adage “‘til death or distance does part you”, a phrase used at some slave weddings in the Upper South, was an accurate statement for those living under slavery.⁸⁰³ Ex-slave Susan Hamilton recalled that “no minister nebbber say in reading’ de matrimony ‘let no man put asunder’ ‘cause a couple would be married tonight an’ tomorrow one would be taken away en be sold.”⁸⁰⁴ This understanding likely prompted numerous slaves to forego Christian ceremonies. Ex-slave abolitionists vigorously contended the inability for many slaves to secure a legally protected, monogamous relationship was one of the greatest inhibitors to slaves’ abilities to practice Christian principles beyond simply being baptized.

Multiple marriages, however, took different forms for many enslaved African Americans. At times it was simply a conscious choice among spouses whose differences were irreconcilable. After asking if she was widowed before marrying her current husband, one female slave responded “He isn’t dead yet, massa...he’s livin’ yet. I didn’t like him, and I neber did; so I tuk up wid my ole man...I’s a great deal younger dan he

⁸⁰² Solomon Northup, *Twelve Years a Slave. Narrative of Solomon Northup, A Citizen of New-York, Kidnapped in Washington City in 1841 and Rescued in 1853, From a Cotton Plantation Near the Red River in Louisiana* (London: Sampson Low, Son & Company, 1853), 221.

⁸⁰³ John Henderson Spencer, *A History of Kentucky Baptists. From 1769 to 1885, Including More Than 800 Biographical Sketches* (Cincinnati: J.R. Baumes, 1886), 657.

⁸⁰⁴ Rawick, *The American Slave*, vol. 2, *South Carolina Narratives*, part 2, 234.

is, but I wouldn't change agin."⁸⁰⁵ A number of compelling points can be extracted from this testimony. The woman is unclear on why she married her first husband, though it is possible that the union was either a forced marriage, or few options were available to her in the area. Her conscientious choice to separate herself from an unhealthy first marriage reveals the complexity of the slaves' private sphere, in that love and romance could be fluid experiences that were subject to the same emotional and physical complications as those married outside of slavery. Despite the possibility that her first husband may have been closer to her age, the stability and happiness associated with her second husband was able to solidify their relationship.

Using his own experience as a former slave forced to remarry through separation, Moses Grandy condemned this feature of slavery as the system's most heinous component, and argued it "induces the ministers of religion, as much as in them lies, to garble the divine law to suit its own infernal exigencies."⁸⁰⁶ Instead of remedying the situation southern churchmen were forced to accommodate the slave South's doctrinal inconsistencies that directly opposed the divine connotations of Christian marriage. In his autobiography fugitive slave Samuel Ward lamented that the system was preserved due to the fact that slave "marriage must succumb to slavery, slavery must reign supreme over every right and every institution, however venerable or sacred."⁸⁰⁷ Preserving the slave owning elite's power over a divinely recognized institution cemented their authority over

⁸⁰⁵ "Marriage and Divorce Among Slaves," in *The Roving Editor*, 71.

⁸⁰⁶ Moses Grandy, *Narrative of the Life of Moses Grandy; Late a Slave in the United States of America* (London: C. Gilpin, 1843), 24.

⁸⁰⁷ Samuel Ringgold Ward, *Autobiography of a Fugitive Negro: His Anti-Slavery Labours in the United States, Canada, & England* (London: John Snow, 1855), 16.

the established southern churches that were forced to accommodate a system that was directly opposed to its principles of marital morality.

Despite their circumstances antebellum slaves developed a marital culture that combined European and African/American folk rituals. A number of enslaved testimonials unveil the influences of “conjure” in courtship rituals. Henry Bibb remembered two failed attempts at conjuring women, one of which instructed him to scratch the woman he was courting with the bone of a bull frog, and the other encouraged him to take a lock of the woman’s hair. Both attempts failed, however, causing both women to become greatly upset with his attempts. Bibb concluded that these were “the superstitious notions of the great masses of southern slaves. It is given to them by tradition, and can never be erased, while the doors of education are bolted and barred against them.”⁸⁰⁸ From his Christian perspective Bibb argued that the ultimate failure of black Christianization was the inability of southern churchmen to find a satisfactory method in ensuring that slaves were able to maintain stable family units within a system that thrived upon slave capital.

While remarriage and bigamy were cited as the most abhorrent features among black and white abolitionists, slave polygamy is a bit more complex than its usual representation as remarriage due to the separation of spouses. Ex-slave narratives are particularly useful in deciphering the function of polygamous relationships, however, since they are largely free of the ethnocentric biases displayed in the narratives of their white contemporaries. Instead, the narratives hail from people who either directly partook

⁸⁰⁸ Henry Bibb, *Narrative of the Life and Adventures of Henry Bibb, an American Slave, Written by Himself* (New York: The Author, 1849), 31.

in the polygamous system, or observed its function first-hand as they came of age upon the antebellum plantation. Slaves' polygamous practices were inexorably linked to the legal context of slave matrimony, and their ability to maneuver outside the legal proscriptions against plural marriage appears to have, at times, encouraged the formation of such unions. One of the most noteworthy testimonials came from ex-slave Harre Quarles of Texas, who revealed that he accumulated three wives prior to the Civil War who all resided with him. Upon the Union victory federal regulations that stressed monogamy were implemented for all former slave marriages throughout the South, and Quarles begrudgingly stated "When I's sot free dey wouldn't let me live with but one. Captain, that ain't right, 'cause I wants all three."⁸⁰⁹ The interviewer did not press Quarles for an explanation as to why he needed three wives, but it appears that Quarles legitimately believed his wives served important purposes for economic production and household maintenance. Within the slave community, Quarles status as a man with multiple spouses certainly expanded his claim to masculinity amidst a system designed to strip black males of domestic autonomy.

Quarles' narrative is a definitive example of polygyny, due to the fact that each of his wives was aware of the others existence and had consented to the marital dynamic. His testimony of polygamous terms that all parties agreed upon was not alone. Narratives from African Americans in the early twentieth century usually associated masculinity with multiple wives. Andrew Moses revealed his father was a large man who had twenty-five children and two wives, but Moses' mother "was his title wife," with whom he just

⁸⁰⁹ Rawick, *The American Slave*, vol. 5, *Texas Narratives*, part 3, 223.

had Moses, his two full brothers, and one sister.⁸¹⁰ Pride in selection was an important component of his father's story under slavery, as it demonstrated some favorability amidst a system that could severely damage individual self-esteem. William McWhorter, formerly enslaved in Georgia, remembered "a man what had two wives livin' in de same cabin" upon his plantation."⁸¹¹ Few details are available to interpret this relationship, but it is significant that McWhorter did not claim the circumstances were forced upon any of the individuals involved. Those who were quite young during slavery recollected their mothers were honest about the relationship, as Lewis Jones noted that his father had children with seven or eight women "'cause my mammy done told me. It's disaway, my pappy am de breedin' nigger."⁸¹²

The more difficult question concerns how to distinguish polygamy from "serial monogamy", which is the act of repetitious marriage wholly disconnected from a polygamous economy. In a particularly interesting example, former slave Lina Hunter claimed a slave named Norman Green "had two wives" who lived upon an adjacent plantation.⁸¹³ Green apparently married his second wife following the sale of his first, but his postbellum circumstances reflect that remarriage might have served purposes a practical maneuver to remarry after forcible separation. After the war Hunter noted his first wife "Tildy come right back to him. He kept both his wives right dar in de same one-

⁸¹⁰ Rawick, ed., *The American Slave*, vol. 16, *Tennessee Narratives*, 52.

⁸¹¹ Rawick, ed., *The American Slave*, vol. 13, *Georgia Narratives*, part 3, 93.

⁸¹² Rawick, ed., *The American Slave*, vol. 4, *Texas Narratives*, 237. Also see *The American Slave*, vol. 5, *Texas Narratives*, part 3, 69.

⁸¹³ Rawick, ed., *The American Slave*, vol. 12, *Georgia Narratives*, part 2, 268.

room cabin. Deir beds sot right ‘side each other.’”⁸¹⁴ The supposedly amicable agreement resonates in the social dynamics people of color faced in the transition from slavery to freedom. Remaining paired to both women certainly appeared a practical decision as formerly enslaved people attempted to establish their own means of production in a postbellum society that remained committed to white supremacy. But the possibility that all three spouses developed cherished attachments to one another should not be ignored, and the ability to mold complicated circumstances into a strong domestic unit merits consideration.

In other cases the male appears to have selected his favored spouse at the prospect of gaining a legally sanctioned marriage-tie. Former North Carolina slave Billy Boone remembered that after his mother died his “father married Maria Edwards after de surrender. He did not live wid any of his other slave wives dat I knows of.”⁸¹⁵ Boone’s notation that his father held other “slave wives” suggests that his father held more than one additional wife beyond Boone’s own mother. The nonchalance of the statement suggests that Boone was not at all surprised of his father’s relationships, suggesting that it was not uncommon for nineteenth-century observers to find an enslaved male who claimed multiple women as domestic partners. This understanding was greatly wrapped within how many slaves defined masculinity and authority within the slave quarters.

The notions of masculinity and domesticity permeated black and white communities in both similar and dissimilar ways in the antebellum South. Scholars of gender and sexuality have provided significant advancements in comprehending the

⁸¹⁴ Rawick, ed., *The American Slave*, vol. 12, *Georgia Narratives*, part 2, 269.

⁸¹⁵ Rawick, ed., *The American Slave*, vol. 14, *North Carolina Narratives*, part 1, 137.

linkage between gender, race, and violence within the southern plantation.⁸¹⁶ However, much of the work has predominantly focused upon instances of interracial violence where enslaved males or females were violently beaten or sexually exploited by sadistic masters or mistresses.⁸¹⁷ Much less attention is paid to the internal domestic disruptions that occurred within the slave communities, particularly among enslaved husbands who engaged in domestic abuses to reassert the masculine positions that were largely voided during slavery. Deborah Gray White's seminal work, *Ar'n't I a Woman*, highlighted the experiences of enslaved women and hinted at this notion when discussing the slave mother's worry "that her young daughters would fall prey to the licentious black and white men on the plantation."⁸¹⁸ White's inclusion of black men in this passage is compelling, but we still know very little about intra-racial cases of domestic disturbance facilitated through the inequitable gendered dynamics of the slave quarters. The slave community has largely been romanticized in past literature, viewed mainly as a vehicle to both psychological and physical survival under the oppressive plantation regime.⁸¹⁹ This is certainly accurate, but it is important to note that internal disruptions occurred in slaves' domestic spheres, as well, and it is important to illuminate these cases to fully

⁸¹⁶ Jennifer L. Morgan, "'Some Could Suckle over their Shoulders': Male Travelers, Female Bodies, and the Gendering of Racial Ideology, 1500-1770," *The William and Mary Quarterly* 54 (1997): 167-192; Aliyyah I. Abdur-Rahman, "'The Strangest Freaks of Despotism': Queer Sexuality in Antebellum African American Slave Narratives," *African American Review*, 40 (2006): 223-237; Glymph, *Out of the House of Bondage*.

⁸¹⁷ Thelma Jennings, "'Us Colored Women had to Go Through a Plenty': Sexual Exploitation of African-American Slave Women," *Journal of Women's History* 1, no. 3 (1990): 45-74; Daina Ramey Berry, *Swing the Sickle for the Harvest is Ripe*: *Gender and Slavery in Antebellum Georgia* (Chicago: University of Illinois Press, 2007), 81; Thomas A. Foster, "The Sexual Abuse of Black Men under American Slavery," *Journal of the History of Sexuality*, 20 (2011): 445-464.

⁸¹⁸ White, *Ar'n't I a Woman*, 95.

⁸¹⁹ Christopher Morris, "Within the Slave Cabin," 273.

comprehend the damage the system wrought upon enslaved men, women, and children. This section hopes to shed light upon these instances to further advance scholarly discussions upon the complex operations of masculinity, femininity, and sexuality as they existed in American slavery.

In many respects, the usual understanding of antebellum masculinity and femininity was largely offset by slaves' labor requirements. Many enslaved women worked alongside men in the fields and American laws specified that enslaved men held no legal claim to their women and children. According to the cultural standards of nineteenth-century America, both positions prevented enslaved males and females from grasping entirely masculine or feminine identities, at least by the standards of white America. In particular, a male's legitimate claim to his familial subordinates was paramount to the masculine ethos, and regardless of class a white antebellum father was designated patriarch of his household and held complete authority over domestic decisions and legal claim to his wife and children.⁸²⁰ According to historian Christopher Morris, in the South "being a man meant (among other things) the right to authority over family, by violent means if necessary."⁸²¹ No matter how favorable their position, enslaved men could never legally enjoy the same benefits. Despite the legislative difference, however, antebellum gender politics of masculinity and femininity still resonated throughout the slave quarters. Sometimes these expressions were instigated by the desires of masters seeking profits upon their investment, while other times slaves

⁸²⁰ Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, & the Political Culture of the Antebellum South Carolina Low Country* (Oxford: Oxford University Press, 1995), 72-90. Bill Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina* (Lexington, KY: University of Kentucky Press, 1992), 133-168.

⁸²¹ Christopher Morris, "Within the Slave Cabin," 268-85.

participated in them through their own volition. Both occurrences are important to consider, as they were meant to encourage the fracture of the slave community and maintain the power structure that created the stratification of a privileged few at the expense of others.

Slave Breeding in the Antebellum South

The concept of slave breeding, to a degree, expelled any respect that white masters held for slaves' gender categories. If antebellum womanhood was predicated upon chastity and fidelity, the encouragement of slaves being paired like cattle exasperated antebellum stereotypes of black licentiousness. According to former slave Jacob Manson, it was not uncommon to keep large, robust males for purposes of breeding. Many of these unions held polygamous connotations, though their circumstances were decidedly different than those that functioned in Atlantic Africa. Manson noted that "Ginerally dey give one man four women an' dat man better not have nuthin' to do wid de udder women an' de women better not have nuthin to do wid udder men."⁸²² Stature and virility determined the males who were selected for this purpose, and this quote suggests that masculinity was enacted through masters sexualizing slaves' bodies, as well as restricting them. The inequitable gender expressions are relevant in this example. Despite the notion that the male was not allowed to fraternize with other women, he was still able to rotate his sexual partner from four available women, while the women were given the same instructions to not stray from their mate and remained confined to a single partner. Unfortunately, Manson did not elaborate upon the internal

⁸²² Rawick, ed., *The American Slave*, vol. 15, *North Carolina Narratives*, part 2, 98.

complications that surely came from such relationships, such as enmity between wives and the potential abuses that came with overt expressions of masculine dominance. However, a continual probe into these relationships reveals an internal complexity that went beyond the masters' desire for natural increase.

The main question to consider is the degree of agency that was, or was not, held by the slaves in these situations. In cases of breeding, masters certainly held supreme authority, but this does not mean that slaves did not at times benefit from the circumstances or at least use their favorability to strategically place themselves in advantageous positions. In one of the more shocking examples, Sam and Louisa Everett were forced to copulate while their master watched, as this apparently served as the wedding ceremony on their plantation. After the master ordered Sam to remove his shirt he asked Louisa: "Nor [her name under slavery], do you think you can stand this big nigger...I jes said, yassur, I guess so...Me and Sam was a healthy pair and had fine, big babies, so I never had another man forced on me, thank God."⁸²³ Unfortunately, Sam's version of this account is not divulged, but the notion that Louisa is portrayed as the passive recipient holds interesting connotations of how gender operated in this process. Louisa's account suggests that Sam could have been replaced if the two failed to produce children, and she would be forced to succumb to the advances of another large male reserved for this eugenic experimentation. Sam was not vocal in the narrative, and it is particularly interesting that he does not appear to have protested the forced coitus. Perhaps it speaks to who relayed the narrative, but as shall be explored below it does

⁸²³ *The American Slave*, vol. 17, *Florida Narratives*, 128. Other narratives discuss the fact that slave owners would pair infertile slaves with others in order to ensure that children were born, see: *The American Slave*, vol. 18, *Unwritten History of Slavery*, 207.

appear in some situations that male slaves selected for these positions were less likely to object to the pairings than their female counterparts. Fortunately for Sam and Louisa, their offspring produced the desired results of a genetically superior group of offspring fit for the labor demands of southern slavery.

The term “breeder” was used to describe both genders. Enslaved males and females were both selected as carriers of the designation, and the comments upon these individuals by former slaves at times supposes that they were given some special status, if not special treatment, upon the southern plantation. Lewis Jones claimed his father was “de breedin’ nigger” of the plantation, and Minerva Davis recollected the disappointment her master expressed when her mother’s stomach was burned and scarred by a fire, as “they thought she would be a good breeder.”⁸²⁴ The main trouble in deciphering many of these accounts, however, is that respondents did not generally elaborate upon the relationships between males and females designated as breeders. Ex-slave Joseph Bacchus noted the pride felt by antebellum whites at the ability of their slaves to procreate at such prolific rates, and noted “dey would have two or three women on de plantation dat was good breeders en dey would have chillum pretty regular fore freedom came here.”⁸²⁵ Such important notations prompt multiple questions. Who were these female breeders? What might daily life have been like for them? Bacchus largely viewed these circumstances as evidence of African Americans’ advantages in childbirth rates, and did not elaborate upon how a slave woman’s dual purpose as producer and re-producer was sometimes collapsed to only include the latter concept. One primary

⁸²⁴ *The American Slave*, vol. 4, *Texas Narratives*, part 2, 237; *The American Slave*, vol. 8, *Arkansas Narratives*, part 2, 128.

⁸²⁵ *The American Slave*, vol. 2, *South Carolina Narratives*, part 1, 22.

contention of this section is that viewing the position of “breeder” as a category distinct from “fieldhand” or “domestic” provides hints at how the position functioned in divergent gender categories.

Some former slaves believed that good female breeders could escape physical abuses reserved for disobedient domestics and field slaves, claiming that most plantations kept “a woman just for that purpose. They never whipped her nor nothing. They just let her have children.”⁸²⁶ Such “thorough-bred stock”, as one ex-slave called them, caught high prices at the slave markets due to the notion that masters could easily capitalize upon their investment through either the labor or sale of future generations.⁸²⁷ As revealed in the aforementioned quote, these high-priced investments encouraged differing treatments. The statement is validated by other testimonials that sometimes struck of jealousy. Some maintained that these women “did not know the hard labors of slavery”, and “always fared better than the majority of female slaves.”⁸²⁸ It was even suggested that if a woman was not a good breeder “she had to do work with de men,” suggesting that common field labor was a punishment for infertility.⁸²⁹ Thus, despite their favorability these women were in a precarious position as their fertility waned with age.

This notion of privilege is complicated by numerous testimonies that claimed “if a woman didn’t breed well, she was put in a gang and sold.”⁸³⁰ According to former Texas

⁸²⁶ *The American Slave*, vol. 10, *Arkansas Narratives*, part 6, 311.

⁸²⁷ *The American Slave*, vol. 16, *Kentucky Narratives*, 74.

⁸²⁸ First quote in *The American Slave*, vol. 17, *Florida Narratives*, 344; Second quote in *The American Slave*, vol. 17, *Florida Narratives*, 257.

⁸²⁹ *The American Slave*, vol. 5, *Texas Narratives*, part 4, 1580.

⁸³⁰ *The American Slave*, vol. 8, *Arkansas Narratives*, part 1, 105.

slave James Green such women were either sold or put to work with the men.⁸³¹ From the perception of most antebellum whites, rendering an infertile woman to labor in a setting reserved for strong males curtailed the enslaved woman's femininity. Since she was no longer able to perform the womanly duty of bearing children, she was forcibly integrated into a labor regime that was viewed as heavily masculine. One ex-slave remembered her mother was frequently sold due to her inability to produce children, despite being paired with different men, until she finally landed with a master who gave her a wedding in "the ways slaves was married them days", through which she produced ten children.⁸³²

Perhaps the psychological pressure of forced procreation led to this woman's initial infertility. This notion is bolstered by recent scientific studies that link stress to infertility in women, causing one to consider how these circumstances might have impacted this historical case.⁸³³ The knowledge of forcible sale as a consequence for the inability to reproduce certainly instigated fear throughout the slave quarters, and it is likely the repetitious selling of this woman led to her reproductive demise until she gained some stability at her final plantation.

"Good breeding", however, was never a safeguard from sale, as other narratives claim women were frequently sold throughout the South for reasons solely predicated upon their reproductive capacity. The better a woman bred, the more value she held upon the auction block. Evidence attests that other enslaved women shied away from marriage due to the master or mistress' expectations for breeding, and sometimes the promise of a

⁸³¹ *The American Slave*, vol. 5, *Texas Narratives*, part 4, 1580.

⁸³² *The American Slave*, vol. 7, *Oklahoma and Mississippi Narratives*, 116.

⁸³³ Megan Johnson, "Can't Get Pregnant? How Stress May Be Causing Your Infertility," *US News* (August 27, 2012). Available at health.usnews.com. Accessed September 25, 2013.

“big” wedding was used as encouragement for slaves to begin reproducing.⁸³⁴ For most enslaved women infertility became antonymous with productivity, causing them to bear the largest burden in trying to fulfill their dual purpose. Enslaved women were trapped within a system that privileged their reproductive abilities, but never guaranteed their safety in preserving their kinship ties to the plantation. These sources reveal that capitalistic interests dictated the slave holder’s decisions, and slave women were largely the victims. The perspective of gender is equally as complicated, however, in dealing with enslaved men.

The power dynamics of the plantation system were filled with numerous complexities, but whiteness was a characteristic that guaranteed supremacy over enslaved black bodies, regardless of one’s sex or class. The ability of plantation mistresses and poor white men to assert authority over black men theoretically solidified the emasculatory principles that rendered black males docile and subservient to antebellum white society. Black males, however, resisted such emasculation through various channels, and historian Sergio Lussana argues that male homosociality and friendship “raised the self-esteem of enslaved men, serving as a buffer against the dehumanizing features of enslaved life.”⁸³⁵ Enslaved males used the traditionally masculine tactics of wrestling, drinking, and gambling as methods to reclaim a semblance of manhood that was generally inconsistent with the circumstances of slavery.⁸³⁶ But slave masculinity

⁸³⁴ *The American Slave*, vol. 5, *Texas Narratives*, part 4, 177; *The American Slave*, vol. 5, *Texas Narratives*, part 4, 193.

⁸³⁵ Sergio Lussana, “‘No Band of Brothers Could Be More Loving’: Enslaved Male Homosociality, Friendship, and Resistance in the Antebellum American South,” *Journal of Social History*, 46 (2013): 874.

⁸³⁶ Lawrence T. McDonnell, “Money Knows No Master,” 31-44; Desch-Obi, *Fighting for Honor*; Sergio Lussana, “To See Who Was Best on the Plantation: Enslaved Fighting Contests and Masculinity in the Antebellum Plantation South,” *Journal of Southern History* 76 (2010): 901-922.

remains a highly underrepresented topic in the literature, particularly when discussing domestic relations. With a few recent exceptions, scholars have largely neglected to analyze the usage of sex and domestic dominance as additional methods that male slaves used in reasserting their masculine position within the slave quarters.⁸³⁷ The remainder of this section analyzes how the narratives of former slaves illuminate our understanding of the complex relationship between gender, power, and violence within the slave community.

Historians differ on the extent of slave breeding. John Hope Franklin called it "one of the most fantastic manipulations of human development in the history of humanity," while cliometricians Robert Fogel and Stanley Engermann used quantitative data to dismiss its reality as a "myth" that was possibly practiced by a select few slave traders, but never a general characteristic of American slavery.⁸³⁸ In certain respects,

⁸³⁷ It was not until the late 1990s that scholars began extensively investigating the question of domestic abuse within the slave quarters, as previous works referenced the possibility, but did not extensively pursue the evidence, see: Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988); Brenda Stevenson, "Distress and Discord in Virginia Slave Families, 1830-1860," in Carol Bleser, ed., *In Joy and In Sorrow: Women, Family and Marriage in the Victorian South* (New York: Oxford University Press, 1991), 103-124; Morris, "Within the Slave Cabin,"; Emily West, "Tensions, Tempers, and Temptations: Marital Discord among Slaves in Antebellum South Carolina" *American Nineteenth Century History*, 5:2 (2004): 1-18; Stephanie M.H. Camp, "The Pleasures of Resistance: Enslaved Women and Body Politics in the Plantation South, 1830-1861," *The Journal of Southern History*, 68 (2002): 533-72; Jeff Forret, "Conflict and the 'Slave Community': Violence among Slaves in Upcountry South Carolina," *The Journal of Southern History*, 74 (2008): 551-588. For path breaking work on domestic turmoil in West Indian slave communities see Randy Browne, "Surviving Slavery: Politics, Power, and Authority in the British Caribbean, 1807-1834" (Ph.D. Dissertation, University of North Carolina-Chapel Hill, 2012).

⁸³⁸ John Hope Franklin, *From Slavery To Freedom: A History of American Negroes* (New York: McGraw-Hill, 1947), 177; Fogel and Engermann's *Time on the Cross*, 5, 78-86. Fogel and Engermann's notion was used by Neo-Confederate analyses as an apologetic for southern slavery, see Walter Donald Kennedy, *Myths of American Slavery* (Gretna, LA: Pelican Publishing Company 2003), 44-45, 53, 248; Gerald S. Norde, "From Genesis to Phoenix: The Breeding of Slaves During the Domestic Slave Era 1807-1863 and its Consequences," (PhD. Dissertation: University of Delaware, 1985). Pamela Bridgewater has most recently attempted to revive the slave breeding notion through analyses of legal and economic items, see Pamela Bridgewater, "Un/Re/Discovering Slave Breeding in Thirteenth Amendment Jurisprudence," *Washington and Lee Journal of Civil Rights and Social Justice*, 7 (2001): 11-43. Also see Janira Phedre

Fogel and Engermann's interpretation has been the more popular of the two. The doubt predominantly springs from scientific challenges in the twenty-first century that express hesitation at the common notion that African Americans and Afro-Caribbeans dominate athletics due to a genetic imprint left through generations of slave rearing.⁸³⁹ In one of the most controversial proposals, four-time Olympian Michael Johnson investigated his own ancestry in a PBS documentary and concluded that it was impossible for him to believe that "being descended from slaves hasn't left an imprint through the generations."⁸⁴⁰ This decades-old debate has brought notable scientists into the historical arena, with most rejecting the notion as a futile attempt at racial determinism.

While some scholars express lingering doubts concerning the extent of slave breeding in the Old South, the ex-slave narratives provide a significant source base for divulging its reality. In the words of Texas slave Thomas Johns, the concern for increasing slaves and draft animals was so prominent in the antebellum South the white population followed an adage that devalued human life for economic efficiency: "'kill a nigger, breed another—kill a mule buy another."⁸⁴¹ This section does not attempt to put forward any suggestion that generations of selective breeding and slave labor led to black athletic prowess in the twentieth and twenty-first centuries, but it does argue that ignoring the memories of former slaves regarding instances of slave breeding damages our further

Teague, "The Breeder of 'Human Cattle': A New Perspective on Slave Breeding during American Slavery" (M.A. Thesis: University of California Los Angeles, 2006).

⁸³⁹ One of the more prominent, and controversial, analyses of this notion was pursued in John Entine's, *Taboo: Why Blacks Dominate Sports and Why We're Afraid to Talk About it* (New York: Public Affairs, 2000).

⁸⁴⁰ Sally Beck, "Survival of the fastest: Why descendants of slaves will take the medals in the London 2012 sprint finals," *UK Daily Mail Online*, June 30, 2012. Accessed Sept. 28, 2013.

⁸⁴¹ *The American Slave*, vol. 6, supplement series 2, *Texas Narratives*, part 5, 1964.

comprehension of gender dynamics upon the southern plantation. Modern controversies should not prevent us from uncovering what the historical sources reveal. The interplay between masculinity and sexual dominance that characterized certain elements of the domestic relationship was an important component in the testimonials of many ex-slaves, and to fully understand the complexity of the domestic state in the slave quarters it is necessary to provide an honest assessment of how former slaves discussed elements of slave breeding, and how it contributed to male-female relationships in the slave quarters. Suspicions of the honesty of ex-slave testimonials are hindered by an analysis of how slave breeding was discussed. For even those former slaves who sought to protect either themselves or the reputations of their former master still believed that slave breeding occurred in many areas throughout the US South, though many of them suggested it was absent upon their own plantations. A former South Carolina slave noted “Marse Zack never bred no slaves, but us heard o’ sech afar off,” and Amsy Alexander of Arkansas similarly testified that her parents’ master never forced slaves to breed, but “heard of that happening in other places.”⁸⁴² In fact, when most slaves were asked about breeding, they typically pointed to individual circumstances rather than making broad generalizations about the South.⁸⁴³ Thus, even if these individuals were unwilling to admit their own master’s moral pitfall, they did divulge the horrors associated with forced mating that characterized other parts of the slave South.

Numerous testimonials, however, are unapologetically clear that such relations characterized slavery in the antebellum period. The belief was so pervasive that rumors

⁸⁴² *The American Slave*, vol. 2, *South Carolina Narratives*, part 2, 273; *The American Slave*, vol. 8, *Arkansas Narratives*, part 1, 25.

⁸⁴³ *The American Slave*, vol. 2, *South Carolina Narratives*, part 2, 68, 273; *The American Slave*, vol. 8, *Arkansas Narratives*, part 2, 92; *The American Slave*, vol. 10, *Arkansas Narratives*, part 5, 243.

circulated that some masters “put medicine in the water...to make the young slaves have more children,” alongside the existence of plantations that were entirely based upon raising slave “stock” for auction at “nigger pens”.⁸⁴⁴ The validity of this claim is subject to speculation, but it makes a poignant case that slaves understood their bodies were being manipulated for sexual and economic prowess. Ex-slave Barney Stone noted his father was a “buck slave” who was “used much as a male cow is used on a stock farm...and was regarded as a valuable slave.”⁸⁴⁵ Stone did not divulge much information about his father, but he did note that he attained a favored position upon the plantation. Stone likely inherited this state through his father, who appeared to pass along his genetic superiority to his son. Stone claimed he never faced a threat of sale due to his physical prowess, and he was regarded as the most valuable young slave upon the plantation. It is possible that the master’s usage of pseudoscientific breeding led to the favorable treatment, as Stone remembered that slave trading was a popular method of acquiring capital in Spencer County, Kentucky, equating the experience to how livestock was sold at the auction. Thomas Johns of Texas similarly claimed the “owner and a big man slave” would make her smaller husband leave and force the woman to “let de big man be her husban’.”⁸⁴⁶ If any of three refused this coupling they were whipped.

Slave breeding certainly led to rabid victimization of enslaved bodies, contributing to a fracturing of many nuclear families throughout the antebellum period. The dehumanization of enslaved laborers served the interests of planters and slave dealers

⁸⁴⁴ First quote: *The American Slave*, vol. 11, *Arkansas Narratives*, part 7, 246. Second quote: *The American Slave*, vol. 10, *Missouri Narratives*, 214-215.

⁸⁴⁵ *The American Slave*, vol. 6, *Indiana Narratives*, 186.

⁸⁴⁶ *The American Slave*, vol. 4, *Texas Narratives*, 203.

who sought authoritative control and capital gain at the expense of their laborers. Increasing the slave population through rapid natural births provided generational security for slave owners. As ex-slave John Moore bluntly stated: “dey t’ink d’ mo’ li’l niggers d’ mo’ money dey worth.”⁸⁴⁷ Masters were selective breeders, however, as the “main factor involved in securing the master’s consent was his desire to rear negroes with perfect physiques.”⁸⁴⁸ The historiographical understanding of slave breeding, however, remains limited by only viewing it through the perspective of the master class, and we still understand very little in how the reputation of a “breeding slave” might have led enslaved men to acquire a masculine ethos within a system that attempted to strip them of their control over their lives. Ex-slave testimonials hint at the possibility of certain favored males embracing their reputations for hyper-masculine breeding capabilities. Historian Bertram Wyatt-Brown noted that slave masculinity must be found in the slave quarters, and subsequent analyses of honor and violence among enslaved African Americans have provided critical examples of how these concepts internally functioned in slave communities.⁸⁴⁹ A male reared for the purpose of breeding certainly understood his favored position and capitalized upon it, oftentimes at the expense of his male and

⁸⁴⁷ *The American Slave*, vol. 7, supplement series 2, *Texas Narratives*, part 6, 2740.

⁸⁴⁸ *The American Slave*, vol. 4, *Texas Narratives*, 180. For other references to breeding, forced copulation, and the master’s motivation in doing so see the following ex-slave testimonies: *The American Slave*, vol. 4, *Texas Narratives*, 88; *The American Slave*, vol. 7, *Mississippi Narratives*, 158; *The American Slave*, vol. 17, *Florida Narratives*, 167, 185; *The American Slave*, vol. 18, *Unwritten History of Slavery*, 222; *The American Slave*, vol. 6, supplement series 1, *Mississippi Narratives*, part 1, 243; *The American Slave*, vol. 5, supplement series 2, *Texas Narratives*, part 4, 1790-1791; *The American Slave*, vol. 6, supplement series 2, *Texas Narratives*, part 5, 2140-2141, 2291.

⁸⁴⁹ Bertram Wyatt Brown, “The Mask of Obedience: Male Slave Psychology in the Old South,” *American Historical Review* 93 (December 1988): 1249; Desch-Obi, *Fighting for Honor*; Jeff Forret, “‘He was no man attall’? Slave Men, Honor, Violence, and Masculinity in the Antebellum South,” in *Fathers, Preachers, Rebels, Men: Black Masculinity in U.S. History and Literature, 1820-1945*, eds. Timothy R. Buckner and Peter Caster (Columbus: The Ohio State University Press, 2011), 23-40.

female counterparts. According to one ex-slave: “The species were propagated by selected male negroes, who were kept for that purpose, the owners of this privileged [sic] negro, charged a fee of one out of every four of his offspring for his services.”⁸⁵⁰ The statement suggests that such slaves were considered a “privileged” class of laborers reserved to perform a specific function that did not entail field work or skilled labor. Economic incentives motivated the master class to pursue this avenue of nineteenth-century slavery, requiring scholars to now assess the degree to which breeding fit into the economic system of both blacks and whites in the South.

There are suggestions that even as children slaves selected for breeding received favorable treatment to boost their profitability at auction, a practice some called “putting him on the block.”⁸⁵¹ One former slave noted he was the offspring of two breeders, and that the master saved him “for a breeding woman.”⁸⁵² Similarly, an ex-slave from Florida maintained that the offspring from the breeding union “were given the best of attention in order that they might grow into sturdy youths, for it was those who brought the highest prices at the slave markets.”⁸⁵³ The notion of privilege for the selected breeders was not uncommon in ex-slave testimonials, suggesting that many of these individuals probably escaped hard labor as a reward for their perceived ability to procreate new generations of genetically-gifted laborers who caught a high price in the booming slave markets of the antebellum period. A good breeding woman, for instance, was in high-demand at the

⁸⁵⁰ *The American Slave*, vol. 16, *Kentucky Narratives*, 34.

⁸⁵¹ This phrase was noted by a respondent who gathered his information from his formerly enslaved father, see *The American Slave*, vol. 11, *Arkansas Narratives*, part 7, 139.

⁸⁵² *The American Slave*, vol. 18, *Unwritten History of Slavery*, 1.

⁸⁵³ *The American Slave*, vol. 17, *Florida Narratives*, 167.

slave markets along the Atlantic seaboard where agricultural labor was becoming less economically viable.⁸⁵⁴ Former Louisiana slave Willie Williams claimed his master was “anxious to raise good, big niggers” and pair them with “big, strong women”.⁸⁵⁵ The master usually selected such a slave at auction, and after the male’s examination by a doctor, “dat nigger do no work but watch dem womens and he am de husband for em all. De marster sho’ was a-raisin’ some fine niggers dat way.”⁸⁵⁶ An additional claim denoted that masters selected “the finest and portlies’ looking Negroes—the males—for breeding purposes” who were not allowed to “strain themselves” or “do much hard work.”⁸⁵⁷ The absence of labor coupled with his ownership of multiple women surely provided the selected male with a notion that he had recaptured his masculinity, at least when compared to his counterparts who perchance had no sexual partners and performed more traditional agricultural labor.

The favoritism encouraged stout males selected for breeding purposes to establish their dominance over other slave males through force and intimidation, allowing them first choice among the slave women. Like their female counterparts, numerous ex-slave testimonials reveal that these select males received favorable treatment from birth to adulthood. “The master used us strong, healthy young bucks to stand the healthy nigger gals. When I was young they took care not to strain me and I was handsome as a speckled pup and was in demand for breeding.”⁸⁵⁸ Elige Davison of Virginia stated that his master

⁸⁵⁴ *The American Slave*, vol. 14, *North Carolina Narratives*, part 1, 360.

⁸⁵⁵ Rawick, ed., *The American Slave*, vol. 5, *Texas Narratives*, part 4, 189.

⁸⁵⁶ Rawick, ed., *The American Slave*, vol. 5, *Texas Narratives*, part 4, 189.

⁸⁵⁷ Rawick, ed., *The American Slave*, vol. 9, *Arkansas Narratives*, part 4, 174.

⁸⁵⁸ *The American Slave*, vol. 4, *Texas Narratives*, part 1, 218.

constantly brought women to see him, “he wouldn’t let me have jus’ one woman.”⁸⁵⁹

Slaves noted that masters would “sell of scrawny niggers” in order to manipulate the gene-pool of their plantation, and larger slaves were even encouraged to force out smaller slaves from the marriage beds of stout women.⁸⁶⁰

The unfortunate circumstance of the relationship between male and female breeders was that the woman’s position was usually more precarious than the male’s. Defining the enslaved female’s position through her biological clock made her utility for that purpose of much shorter duration, whereas a male could theoretically produce the seed of the child until much later in life. Some of these relationships began when a slave girl was twelve or thirteen years old, as “Negro men six feet tall went to some of these children.”⁸⁶¹ Youth and reproductive capability defined the lives of many enslaved women after the closing of the transatlantic slave trade in 1808. This is one way to interpret the reference by former slave Henry Bobbit, who stated that upon his plantation a slave marriage could not last more than five years, because “iffen one of ‘em got too weakly ter have chilluns de other one could git him another wife or husban’.”⁸⁶² Bobbit’s statement is revealing in expanding the knowledge of how some relationships might have operated, particularly since the marriage practice of his own plantation was done amongst the slave community: “A couple got married by sayin’ dat dey wuz.”⁸⁶³ In the already

⁸⁵⁹ *The American Slave*, vol. 4, *Texas Narratives*, part 1, 299.

⁸⁶⁰ *The American Slave*, vol. 9, *Arkansas Narratives*, part 4, 103; *The American Slave*, vol. 6, supplement series 2, *Texas Narratives*, part 5, 1964.

⁸⁶¹ *The American Slave*, vol. 15, *North Carolina Narratives*, part 2, 434.

⁸⁶² *The American Slave*, vol. 14, *North Carolina Narratives*, part 1, 124.

⁸⁶³ *The American Slave*, vol. 14, *North Carolina Narratives*, part 1, 124.

harsh conditions of rural life in the US South, slaves were often malnourished, overworked, and received inadequate healthcare. Coupled with the dangers of nineteenth-century childbearing techniques, the “weakly” slaves that Bobbit referenced were most likely to be women who could no longer conceive children. In building upon Bobbit’s notation, most ex-slave memories display a heavier gendered variant that victimizes the female, suggesting that she was the one that held little choice in the matter. Such descriptions are useful in assessing the consciousness of gender inequality and notions of “slave agency”. If one accepts the legitimacy of the narratives, the overwhelmingly suggest that even if the master was behind the union, the male was a far more active participant than the victimized female.

Sarah Ford of Texas recalled the white folks would never allow strong field hands to marry, but bred them like mules, “Iffen the woman don’t like the man it don’t make no difference, she better go or dey gives her a hidin’.”⁸⁶⁴ Pointing to the female as the victimized partner is an interesting component of Ford’s statement. Perhaps her own identity as a black female prompted her to focus upon this component of slavery, as she says nothing about the enslaved man’s position in the forced copulation. Despite a possibly gendered slant in the narrative, Ford’s declaration is revealing for discussing how connections in gender and race informed the conceptions of former slaves interviewed about their experiences in antebellum slavery during the Jim Crow era. Willie McCullough of Darlington, South Carolina held a rich oral history passed to him from his female elders, in which he learned his mother “became a woman at the age of sixteen years” and her master brokered a deal with a neighboring slave owner to get a

⁸⁶⁴ *The American Slave*, vol. 4, *Texas Narratives*, 42.

“six foot nigger man, almost an entire stranger to her, and told her she must marry him.”

After performing a pseudo-marriage ceremony, the male was told “he could take her to a certain cabin and go to bed. This was done without getting her consent or even asking her about it.”⁸⁶⁵ Similarly, his grandmother claimed that several different men “were put to her just about the same as if she had been a cow or sow.”⁸⁶⁶ Once again, these respondents utilized the simile comparing slave marriage to cattle pairing.⁸⁶⁷ A close reading of the text suggests that McCullough and his female elders interpreted the woman’s position as the more precarious of the two. Indeed, other narratives reveal the enslaved male and slave owner acted in a type of collaboration to ensure the slave’s desires were met, predicated upon the fact that his services were to the master’s satisfaction.

G. W. Hawkins, a man formerly enslaved in Alabama, noted the existence of slave men that were kept for the specific purpose of forcing “slave women to do what they wanted to do... They were big fine men, and the masters wanted the women to have children by them.”⁸⁶⁸ While Hawkins was fully aware that the breeding slaves were encouraged to perform these actions by the master, these anonymous individuals took

⁸⁶⁵ *The American Slave*, vol. 15, *North Carolina Narratives*, part 2, 78.

⁸⁶⁶ *The American Slave*, vol. 15, *North Carolina Narratives*, part 2, 78. For the notion of multiple “mock” husbands given to individual slave women see *The American Slave*, vol. 15, *North Carolina Narratives*, part 2, 434.

⁸⁶⁷ For further references to the comparison of slaves to animals see: *The American Slave*, vol. 4, *Texas Narratives*, 163; *The American Slave*, vol. 6, *Alabama Narratives*, 107; *The American Slave*, vol. 6, *Indiana Narratives*, 180; *The American Slave*, vol. 8, *Arkansas Narratives*, part 1, 212; *The American Slave*, vol. 10, *Arkansas Narratives*, part 6, 73; *The American Slave*, vol. 10, *Arkansas Narratives*, part 6, 76; *The American Slave*, vol. 5, *Texas Narratives*, part 4, 1580; *The American Slave*, vol. 6, supplement series 2, *Texas Narratives*, part 5, 1964; *The American Slave*, vol. 7, supplement series 2, *Texas Narratives*, part 6, 2599; *The American Slave*, vol. 8, supplement series 2, *Texas Narratives*, part 7, 3369; Loguen, *The Rev. J. W. Loguen*, 38; Parker, *Recollections of Slavery*, 22-27.

⁸⁶⁸ *The American Slave*, vol. 9, *Arkansas Narratives*, part 3, 218.

much of the blame in Hawkins' own historical memory. Mollie Dawson of Texas recollected that if a woman did not get along with her husband she was taken to a "big stout high husky nigger" and left with him for a few days "jest lak dey do stock." While she did not completely divulge the transactions that occurred in these circumstances, one can reasonably assume the woman was forcibly impregnated by the large male.⁸⁶⁹ Some former slaves claimed that if a master did not hold such an individual that there were ways of "hiring out" the services of a large enslaved male who was designated for the purpose to impregnate the master women, similar to the hiring out process of skilled slaves for specific plantation labors.⁸⁷⁰ It is possible that just as enmity existed between field hands, drivers, and house servants, slaves who recollected the position of breeders as those whose labors required very little physical strain likely saw them in the same light as domestics and black slave drivers who they believed received favorable treatment from the master. At times the records suggest that breeders were also placed in skilled positions that allowed them the necessary time and energy to simultaneously perform the requirements of a "stock negro." Luke Blackshear, for instance, was "what they called a double-jointed man," which essentially meant he was selected for his robust physical constitution and his skills as a mechanic.⁸⁷¹ While Blackshear was subjected to discipline as other slaves he was not required to work alongside them in the fields and became the father of fifty six children throughout his lifetime.

At times, however, the records reveal that physical and sexual abuse within the slave community occurred through the slave's own volition, similar to the instances

⁸⁶⁹ *The American Slave*, vol. 4, *Texas Narratives*, part 3, 1122.

⁸⁷⁰ *The American Slave*, vol. 7, supplement series 2, *Texas Narratives*, part 6, 2599.

⁸⁷¹ *The American Slave*, vol. 9, *Arkansas Narratives*, part 3, 370.

discussed by slave owners in the previous chapter. According to Francis Frederick of Virginia, part of the requirement for enslaved males to gain the masters' consent was a promise to not abuse their woman, to which he remembered one slave replied: "'No missus, if Fanny nebber get a whipping untill I gib her one she'll nebber git one.'" ⁸⁷²

While the quotation does not provide explicit evidence of domestic abuse, the fact that this was remembered by a former slave suggests that domestic abuse occurred with enough frequency to prompt slave owners to ensure the woman they gave away in marriage would not be subject to a violent husband. In a more violent episode, former Mississippi Slave Mary Gaffney recalled one instance of an enslaved male successfully petitioning his master to provide him a slave girl from within the plantation. According to Gaffney, "he was a pretty well-built negro," which spurred the master's approval for the union. However, tragedy occurred through a domestic dispute in which the couple disagreed over having a child. The wife was already pregnant despite the husband's wishes against it, and "one night he just choked her to death." ⁸⁷³ The crux of the situation, however, is in the punishment meted out to the male for his transgression: "Maser put him in jail at night and in the daytime he had to wear chains around his legs. He never could go to any more dances or have not another free day there on the plantation." ⁸⁷⁴ Thus, instead of the death sentence that the slaying of a *white* woman by a black male would have certainly entailed, the slave in this case was punished with social isolation for killing his enslaved wife, with the master ensuring that he remained

⁸⁷² Francis Frederick, *Autobiography of Rev. Francis Frederick of Virginia* (Baltimore: J.W. Woods, 1869), 28-29.

⁸⁷³ *The American Slave*, vol. 5, supplement series 2, *Texas Narratives*, part 4, 1446.

⁸⁷⁴ *The American Slave*, vol. 5, supplement series 2, *Texas Narratives*, part 4, 1446.

economically productive through his continued labor.⁸⁷⁵ This exemplifies a mentality among slave owners that intersected gender, economics, and race, equating female black bodies as expendable commodities that could be abused without equitable punishment.

Despite the threat of punishment, enslaved women sometimes fought these forced copulations by attacking the male designated as their mate. Maggie Stenhouse of South Carolina noted that a rented “stockman” upon her plantation anxiously exited one cabin because “them women nearly kill him.”⁸⁷⁶ This notion is poignantly illuminated by the testimonial of ex-slave Rose Williams who revealed a detailed account of her battles with her “husband” Rufus, a male slave she was forced to sleep with until emancipation. Around the plantation Rufus was known as a “bully”, who due to his size “he think everybody do what his say.”⁸⁷⁷ Rufus and Williams had a volatile relationship, as she refused his advances by attacking him with a hot poker from the fireplace in his many attempts at copulation. When she confides in the mistress, she received the response that the master demanded she procreate with Rufus and she was obligated to obey his command. After refusing Rufus yet again, the master called for her and explained “Woman, I’s pay big money for you and I’s done dat for de cause I wants yous to raise me chilluns. I’s put yous to live with Rufus for dat purpose.”⁸⁷⁸ At the threat of a whipping she eventually submitted to the order, but made one final, revealing statement in reference to her master forcing her to live with Rufus: “I knows he don’t do it for

⁸⁷⁵ For one of the best analyses of punishments meted out to black men who assaulted white women see Diane Sommerville, *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004).

⁸⁷⁶ Rawick, ed., *The American Slave*, vol. 10, *Arkansas Narratives*, part 6, 223.

⁸⁷⁷ Rawick, ed., *The American Slave*, vol. 5, *Texas Narratives*, part 3, 176.

⁸⁷⁸ Rawick, ed., *The American Slave*, vol. 5, *Texas Narratives*, part 3, 177.

meanness, but I allus holds it ‘gainst him.”⁸⁷⁹ The statement is somewhat difficult to reconcile, as she grants her master clemency for an action that disregarded her decision to control her body. Rufus, however, remained subject to blame, as she never related that he received any redemption from his actions. Rufus remained the “bully” in her memory, and her discussions of his position unveil how the general slave community likely viewed these select slaves who were sent to violate the marriage beds of weaker male and female slaves.

Male-to-male collaboration is arguably the most controversial aspect of the slave-breeding dynamic, as it suggests that favored slaves allied themselves with the master to exploit their fellow slaves. However, there is a reality in the history of human atrocities that exposes individuals within a persecuted minority group who either openly or privately ally with the oppressive majority group to salvage their own position. Enslaved African Americans were no different, and the opportunity to advance their position within the plantation system was a welcome opportunity. Black slave drivers, in particular, are a group of slaves commonly used as examples of self-serving individuals willing to betray the larger slave community for their own benefit. Their position right below the overseer designated them as the individuals who punished slaves for insubordination and received a higher allotment of provisions and privileges within the plantation community, causing them to, at times, become the envy of their enslaved counterparts.⁸⁸⁰ Some drivers were accused of abusing these privileges at the expense of enslaved women. According to former slave Sarah Ross, her mother was frequently

⁸⁷⁹ Rawick, ed., *The American Slave*, vol. 5, *Texas Narratives*, part 3, 176.

⁸⁸⁰ For a historiographical perspective see Randall Miller, ed., *Dear Master: Letters of a Slave Family* (Ithaca, NY: Cornell University Press, 1978), 152.

beaten by the white owner “because she did not have sexual relations with the overseer, a colored man by the name of Randall.”⁸⁸¹ In this instance the black overseer was able to appeal to the master to intercede on his behalf, forcing Ross’ mother to submit to Randall’s advances.

Conclusion

The variegated experiences revealed through the slave narratives render any attempt in defining the socio-cultural dimensions of slave marriage futile, at least from a general perspective. Ultimately, the only unifying experience all slaves shared was a legislative dilemma that barred them from enjoying the privileges of a legally-recognized marital union. Many enslaved couples loved each other, but many were also privy to the heated passions that continually define the marriage state. The same domestic discord that characterized the relationships of antebellum whites permeated throughout the slave quarters, though issues of masculinity and domesticity were recontextualized under the circumstances of enslavement. Similarly, their ceremonies comprised a collection of reimagined wedding customs that were openly calibrated based upon a slave’s occupation or social standing. While we often talk about “slave culture” as a distinct form of expression from those of the white elite, we should not ignore the fact that many slaves embraced the categories of gender, class, and even race that characterized the mentalities of many antebellum whites. Through this chapter’s analysis of slave’s internal relationships and their usage of particular rituals inspired by both local and transatlantic

⁸⁸¹ *The American Slave*, vol. 17, *Florida Narratives*, 168.

origins we ultimately conclude that marriage under slavery remains a fertile ground for scholarly inquiry due to its complexity.

CHAPTER 8

IN LOVE AND WAR: THE CULTURE AND POLITICS OF SLAVE MARRIAGE DURING THE CIVIL WAR

By the spring of 1862 it was not entirely clear if a Union victory was on the horizon. While the northern forces gained significant victories in occupying Port Royal, South Carolina in the early months of the war, as well as capturing central Tennessee in the military engagements of the western theater, Confederate soldiers had demonstrated their capability to push back Union forces. The body count continued to rise and while most understood that slavery was the issue that brought the nation into a bloody conflict, many white politicians in North remained divided on how runaway slaves should be received within the Union forces. Pragmatic northern politicians and military leaders understood the benefits of employing slaves who fled to Union lines, but President Abraham Lincoln hesitated to enact any policies that would permanently sever his hope in salvaging the Union. Unconcerned with the political gridlock in Washington, however, southern slaves understood that the outcome of the war determined their fate as newly-minted citizens or perpetual slaves in the United States. Utilizing the same tactics of escape as their predecessors in the colonial and antebellum periods, thousands of slaves ran to Union lines hoping to secure protection. Their new liminal identities between

enslaved and free, however, prompted Union leaders to dub them “contrabands” of war until their fates could be sorted out through legislation.⁸⁸²

These formerly enslaved contrabands presented difficult questions for local military leaders who expressed uncertainty in how they were expected to deal with escaped slaves. Despite the opposition to slavery in the North most Union soldiers were not abolitionists, and many agreed with the popular theories of scientific racism that placed those of African descent on the lowest order of the human species. As such, the Union encampments were not the utopic paradises slaves might have expected. Scholars have shown that civil treatment of these refugees by Union soldiers was never guaranteed, particularly in the cases of women and children.⁸⁸³ However, despite such obstacles slaves continually flocked to Union lines seeking asylum from a region that remained committed to holding them in bondage, in turn manifesting their belief that the makeshift freedom available within Union territories was preferable to the definite bondage of the Confederacy.

While it is difficult to know for certain what governmental Acts and resolutions ultimately protected the escaped slaves, it is important to note that appeals to protect slave marital and family structures functioned as a key attraction early in the Civil War.

⁸⁸² For an analysis of these events see Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge: President and Fellows of Harvard College, 2003), Chap. 2.

⁸⁸³ Thavolia Glymph, “‘This Species of Property’: Female Slave Contrabands in the Civil War,” in *A Woman’s War: Southern Women, Civil War, and the Confederate Legacy* eds. Edward J. Campbell, Jr. and Kym S. Rice (Charlottesville, VA: University Press of Virginia, 1996), 55-71; Leslie Schwalm, *A Hard Fight for We: Women’s Transition from Slavery to Freedom in South Carolina* (Urbana: Board of Trustees of the University of Illinois, 1997), 75-146; Thavolia Glymph, “Noncombatant Military Laborers in the Civil War,” *Organization of American Historians Magazine of History*, 16 (2012): 25-29.

Forced to reckon with the numerous slaves flooding Union-occupied territories throughout the South, northern political leaders adopted measures to ensure that some incentives were allotted to black men serving in military units. Section 13 of the July 17, 1862 Act of Congress was one of the most pivotal measures that protected enslaved families. The Act stated that any black male escaping from Confederate territories who “shall render service as is provided for in this Act, he, his mother and his wife and children shall forever thereafter be free, any law, usage or custom whatsoever to the contrary notwithstanding.”⁸⁸⁴ This law was also known as the Militia Act, a statute “which authorized the enlistment of ‘persons of African descent’ to serve in the Union military as laborers ‘or any other military or naval service for which they may be found competent.’”⁸⁸⁵ While the Act was not perfect, and was generally unable to guarantee equitable treatment within Union contraband camps, it was the first legislative action that promoted the possibility that a formerly enslaved man could lay legal claim to his family members.

As the Union occupied territories throughout the Deep South by 1864 an ever-larger number of slaves fled their plantations to request asylum in Union encampments. Numerous slaves believed that the northern armies provided the best chance in assuring

⁸⁸⁴ “Quartermaster General to the Secretary of War,” in *Freedom: A Documentary History of Emancipation 1861-1867, Selected from the Holdings of the National Archives of the United States*, Volume 2, *The Wartime Genesis of Free Labor: The Upper South*, eds. Ira Berlin, Steven F. Miller, Joseph P. Reidy, and Leslie Rowland (Cambridge: Cambridge University Press, 1993), series 1, 271. Subsequent quotations from this series will use the following citation format: “Item”, *Abbreviated Title*, volume, *subtitle*, series, page number.

⁸⁸⁵ Sean Wilentz, “Congress Confiscates Confederates’ Slaves,” *New York Times* (July 16, 2012). Accessed through <http://opinionator.blogs.nytimes.com>. Accessed June 25, 2013. The Act can be found in its entirety in *The Statutes at Large, Treaties, and Proclamations, of the United States of America from December 5, 1859, to March 3, 1863. Arranged in Chronological Order and Carefully Collated with the Originals at Washington. With References to the Matter of Each Act and to the Subsequent Acts of the Same Subject*, volume 12, ed. George P. Sanger (Boston: Little, Brown and Company, 1863), 93-96.

their claims to spouses and kin. In theory, at least, they could relish in the fact that their spouses and children could not be sold from them for a slave master's financial gain or punishment. Their actions helped spur the North to recognize that protecting kinship units might be a powerful incentive to encourage formerly enslaved males and females to contribute to the Union cause through construction and domestic labors. Thus, on March 28, 1864 the Secretary of State issued Special Order 15 that declared "Any ordained minister of the Gospel, accredited by the General Superintendent of Freedmen, is hereby authorized to solemnize the rites of marriage among the Freedmen."⁸⁸⁶ This declaration was pivotal if one considers that by the time of the Civil War most southern slaves had genealogies of bondage and never knew the feeling of legal protection for spouses, children, and kin. The action meant that slave marriages were finally legitimated by federal regulation, an action that was ignored for over two centuries of American slavery.

Questions surrounding "slave marriage" during the American Civil War not only permeated throughout the slave communities in the South, but simultaneously concerned the actions of legislators and military officials on both sides of the conflict who understood the practical nature of bestowing rights to the millions of slaves who were either viewed as potential allies or obstacles to the cause. This final chapter examines how the theory and practice of slave marriage impacted all participants in the Civil War, both in the battlefield and the home front. To be sure, the destruction of the marital relation during the Civil War was not confined to the African-American experience, but

⁸⁸⁶ "Chaplain of an Arkansas Black Regiment to the Adjutant General of the Army," *Freedom: A Documentary History of Emancipation 1861-1867*, Series 2, *The Black Military Experience*, 712, ftnt. 1.

southern slaves deserve further scrutiny since their position in the war was unique.⁸⁸⁷

Control of slaves' marital rights ensured their subservience to white society. No other population had faced the wide-scale forcible separations that characterized the domestic slave trade of the antebellum era, and no other population had as vested an interest in a Union victory as the four million slaves below the Mason-Dixon Line. Slaves understood that freedom, at least theoretically, prevented any further domestic interference and provided them control over their marital stability.

Dealing with the complex nature of the legal, political, and social connotations of marriage for enslaved African Americans in this period of transition prompts a few questions: To what degree did questions of "slave marriage" influence social and legal maneuvers among both white and black southerners during the four year conflict? Were slaves' domestic relationships safer in the Union territories, or did the weakened plantation zone provide a superior venue for marital stability? To answer these questions, this chapter places slave marriage in the center of the Civil War, analyzing how it influenced social practice, legislative action, combat, and religious discourse throughout the United States. It also explores how the conflict initiated a pivot point in how slaves could resist their bondage, and how kinship and marital stability factored into slaves' decisions to either flee to Union encampments or reckon with their circumstances upon the plantation until the war's end. In essence, this chapter gives voice to those former slaves who recollected the unsettling circumstances of their precarious positions in the Civil War, and scrutinizes how they reacted to the circumstances of warfare while

⁸⁸⁷ Megan J. McClintock, "The Impact of the Civil War on Nineteenth-Century Marriages," in *Union Soldiers and the Northern Home Front*, eds. Paul A. Cimbala and Randall M. Miller (New York: Fordham University Press, 2002), 395-416; McClintock, "Civil War Pensions and the Reconstruction of Union Families," *The Journal of American History*, 83 (1996): 456-480.

simultaneously resisting the continual exploitations of plantation slavery. Far from passive spectators, enslaved men and women fought at home, on the battlefield, and within the contraband camps to ensure their husbands, wives, and children understood that freedom and kinship provided the best possibility for advancement in world that, despite promises of freedom, remained predicated on black subservience.

The Homefront

As the Union armies penetrated deeper into the South the plantation system significantly fractured. Thousands of slaves braved the war-ravaged southern landscape to cast their lots with the Union army. The ability of slaves to free themselves specifically devastated plantation mistresses who were left to attend to the plantation duties while their husbands, sons, and other male kin enlisted in the Confederate army. Believing that their slaves were loyal, many expressed similar sentiments as Adele Allston, who wrote in 1863:

Jimmy, cousin Joe's slave driver, deserted to the enemy. He and eight of Dr. Hassell's men took Dr. H's wagons and horses, went to Mr. Nestrit's, took his metallic life boat to the upper inlet, got in, and went out of the inlet to sea- Jimmy took 4 cars from Waverley Bluff [illegible], very serious in the effect he may have on the other negroes on Papas [plantation]- Jimmy is of the old family stock, his father having been driver for our grandfather, I think, anyway, I know he comes of

an important family, which makes his desertion very serious. It worried Papa a great deal as he says if his commence to go there it will be a great [loss].⁸⁸⁸

In this passage Allston reveals one of the most troubling stories a planter could face: the desertion of a supposedly loyal slave.⁸⁸⁹ Even worse, Jimmy was an influential figure for other slaves throughout the area. He not only ran away with a decently sized group of slaves, but raided other locations for some rather expensive supplies. Prior to his escape Jimmy represented the southern ideal of the loyal family slave. He was a slave driver, which made him a commanding figure, and he was “of the old family stock,” being that his father, who was also in the trusted position of slave driver, was owned for two generations past.

The *Wartime Journal* of Eliza Andrews expressed similar sentiments as Allston, though her entries came a few months after the Confederacy’s official surrender. Expressing her disgust at a number of loyal slaves who left the plantation she expressed humiliation at being “compelled to bargain and haggle with our own servants about wages.”⁸⁹⁰ Interestingly, Andrews noted the rumors that circulated among the slaves on the plantation as to why a number of otherwise loyal males were leaving. In trivializing the issue, Andrews claimed the prime reason was their hopes to avoid further marital commitment. A favored slave named Arch apparently departed in fear that his abroad

⁸⁸⁸ Allston Family Papers, Adele Allston Letter, March 29, 1863, South Caroliniana Library at the University of South Carolina. Hereafter SCL.

⁸⁸⁹ For statements from plantation mistresses who expressed similar sentiments about enslaved loyalty see: James S. Milling papers, Mary Milling correspondence, March 1862, South Caroliniana Library; H. E. Sterkx, ed., “A Patriotic Confederate Woman’s War Diary, 1862-1863,” *Alabama Historical Quarterly*, 20 (1958): 615-616.

⁸⁹⁰ Eliza Frances Andrews, *The War-time Journal of a Georgia Girl, 1864-1865* (New York: D. Appleton and Company, 1908), 319.

wife would come for him from her plantation, particularly since he was set to marry another woman named Betsy without his wife's knowledge. Andrews gathered this information from her favored domestic servant "Mammy," and could only wonder "if the Yankees will force them to observe the marriage tie any better than they have done in the past."⁸⁹¹ While she might not have known it, her statement was prophetic in the goals the Freedmen's Bureau would outline in the postbellum period. However, at the time Andrews' sentiments represent the paternalistic racism that characterized the antebellum plantation image. Throughout the journal Andrews professed a deep love for many slaves, but simultaneously criticized their morality at the first signs of disloyalty during the Civil War era.

Fooled by their own claims to paternalism, plantation mistresses attempted to maintain similar authoritative structures as had been done in the antebellum period. As Henry Walker, Carol Bleser, and Frederick Heath's studies of elite Alabama families argue the war altered the connections between gender and power within the marriage, as women were placed in positions unfamiliar to the patriarchal antebellum period.⁸⁹² One of the most public demonstrations of paternalistic authority during the Civil War period centralized within the mistress leading an enslaved wedding ceremony, which they hoped

⁸⁹¹ Andrews, *War-time Journal*, 320.

⁸⁹² Henry Walker, "Power, Sex, and Gender Roles: The Transformation of an Alabama Planter Family During the Civil War," in *Southern Families at War: Loyalty and Conflict in the Civil War South*, ed. Catherine Clinton (Oxford: Oxford University Press, 2000), 175-188; Carol Bleser and Frederick Heath, "The Clays of Alabama: The Impact of the Civil War on a Southern marriage," in *In Joy and In Sorrow: Women, Family, and Marriage in the Victorian South, 1830-1900*, ed. Carol Bleser (New York: Oxford University Press, 1991), 135-153. For other examinations see: Joan Cashin, "'Since the War Broke Out': The Marriage of Kate and William McClure," in *Divided Houses: Gender and the Civil War*, eds. Catherine Clinton and Nina Silber (New York: Oxford University Press, 1992), 200-212; Laura F. Edwards, *Scarlett Doesn't Live Here Anymore: Southern Women in the Civil War Era* (Urbana: University of Illinois Press, 2000).

would reemphasize their control over the enslaved bodies that continually fled the plantation.⁸⁹³ Mistresses probably hoped that by maintaining the domestic ties between slaves that they might be less obliged to flee the plantation. In one instance the kinship ties worked, as plantation mistress Dolly Lunt recorded in her diary that nearly all slaves from her area had fled “save one man that had a wife here at my plantation.”⁸⁹⁴ In North Carolina, Catherine Devereux Edmondston’s Civil War diary recorded on March 26, 1862 of the “furor of marriage” that possessed the plantation slaves. She obliged to furnish materials for each wedding supper, condescendingly noting of the slaves’ “primitive customs one will say... White people would have been months in accomplishing what they have been days about!”⁸⁹⁵ Edmondston’s notations illuminate a sense of relief that she was able to finance a wedding party, which reassured her that the slaves might remain loyal to the plantation.

Similarly, Priscilla Bond’s Louisiana diary reveals her attempts to maintain order through wedding gifts and ceremony. While her husband led the ceremony, she noted in January 1862 of her bestowal of a “turban of white swiss—pink tarlatan & orange blossoms” that she made for an unnamed enslaved bride. The wedding was held at a gallery, after which they “adjourned to the ‘hospital,’ where they enjoyed a ‘Ball.’”⁸⁹⁶

⁸⁹³ This was first noted by George C. Rable, *Civil Wars: Women and the Crisis of Southern Nationalism* (Urbana: University of Illinois, 1989), 112-135, especially 115.

⁸⁹⁴ Dolly Sumner Lunt, *A Woman’s Wartime Journal: An Account of the Passage over a Georgia Plantation of Sherman’s Army on the March to the Sea, as Recorded in the Diary of Dolly Sumner Lunt* (Macon, GA: J.W. Burke Co., 1927), 49-50.

⁸⁹⁵ “March 26, 1862,” in “*Journal of a Secesh Lady*”: *The Diary of Catherine Ann Devereux Edmondston 1860-1866* eds., Beth G. Crabtree and James W. Patton (Raleigh, NC: Division of Archives and History, 1979), 141.

⁸⁹⁶ Kimberly Harrison, ed., *A Maryland Bride in the Deep South: The Civil War Diary of Priscilla Bond* (Baton Rouge: Louisiana State University Press, 2006), 213.

Bond's placement of quotation marks over the venue and description of the festivities divulges her belief in the inherent inferiority of her slaves. As long as the façade of plantation social activities remained intact, plantation mistresses convinced themselves of their slaves continued service for the duration of the war. In a telling conclusion to her entry of the slave wedding, Bond rhetorically wondered "what the 'Yankees' would think of it if they had seen, how happy they [slaves] were, dressed in their *ball dresses*. The groom had on a suit of black, white gloves & tall *beaver*. The bride dressed in white swiss, pink trimmings & white gloves. The brides-maid & groom's man dress to correspond."⁸⁹⁷ In many ways this recalls similar criticisms leveled by proslavery apologists to their abolitionist opponents in the antebellum period. A plantation sponsored slave marriage supposedly demonstrated the paternal nature of the slave system against the onslaught of northern criticism. By describing the finery and festivities that accompanied the wedding, Bond hoped the preservation of the plantation's status quo was enough to preserve the crumbling institution, at least in the eyes of their northern enemies.

The Mississippi diary of Caroline Seabury recorded her attendance of a "country barbecue and wedding" among multiple slaves in August, 1863. Ensuring their authority was preserved "'the white folks' were first entertained at the long table—a crowd of eager faces surrounding us as we were helped". At the conclusion of their meal the white guests retired "at a respectful distance" to observe the slaves' festivities.⁸⁹⁸ Upon concluding the marriage ceremonies of domestic servants and field hands Seabury wrote

⁸⁹⁷ Harrison, ed., *A Maryland Bride*, 213.

⁸⁹⁸ Suzanne L. Bunkers, ed., *The Diary of Caroline Seabury, 1854-1863* (Madison, WI: The University of Wisconsin Press, 1991), 77.

“they were all for one day at least—in the negroe’s heaven—with plenty to eat and good clothes to wear—no work to be done.”⁸⁹⁹ Sponsoring such ceremonies through providing clothes and food for each guest reassured some mistresses that peace might be maintained among slaves that were conscious of potential freedom. The Union army, however, was a far more formidable opponent due to the physical nature of the conflict. Instead of a war of words, the northern and southern militaries engaged in a battle that would determine the rights of citizenship for four million people held in southern bondage. Access to families and the marriage contract would form a significant portion of the intellectual dimensions of the conflict for many white political leaders, but the physical consequences for slave marriages was a very real component of the conflict.

Saving the Confederacy

Plantation mistresses were not the only white southerners concerned with questions revolving around slave marital unions. Southern churchmen and legislators also believed that reforming the South’s approach to slave marriage might salvage the system and allow the Confederacy to regain God’s favor amidst their struggles in the war. Historian Bell Irvin Wiley noted that the calls for slave marital reform would have rendered the slaves, in the minds of most southerners, “more as persons and less as property.”⁹⁰⁰ In previous centuries, slaveholders rejected attempts at the legalization of slave marital reform due to their worry “that legalized slave marriages would endow slaves with civil rights, interfere with local customs, put the laws of marriage above those

⁸⁹⁹ Bunkers, ed., *The Diary of Caroline Seabury*, 79.

⁹⁰⁰ Bell Irvin Wiley, *Southern Negroes 1861-1865* (New Haven: Yale University Press, 1938), 171.

of property rights and slave ownership, and provide proof for abolitionist charges that slavery was and promoted debauchery.”⁹⁰¹ Past scholarship on the American Civil War has briefly referenced these maneuvers for slave marital reform, but these analyses did not stress the significance of these reform measures in the context of the history of slavery in the United States. The proposed marital reforms never passed, however, as the South lost the war before any legislation was considered. Most slaves were forced to wait until the war’s conclusion to gain the long-awaited freedom that provided them the ability to engage in the marital contract.

Despite the fact that the South delayed reforming the slave system until it was too late, the recommendations for reform during the Civil War are important to consider due to their unprecedented existence in southern history. Like their slaveholding predecessors in the British West Indies and the antebellum South, the Confederacy was responding to increased pressure from antislavery societies not by condemning slavery, but by reforming it. These social dilemmas were exacerbated by British newspapers that continued to criticize American slaveholders approaches to slave unions during the Civil War. In 1862 the *Liberator* recopied an article from the *Brighton Gazette* (England) that told of the marriage of former Dahomean slave Sarah Forbes Bonetta to James Davis, a “Liberated African” who was sent to Sierra Leone after he was intercepted by British ships patrolling the Atlantic coasts of Africa. The African couple’s wedding in a parish church in Brighton was performed by the Bishop of Sierra Leone and received the public

⁹⁰¹ Ervin L. Jordan, Jr., “Mirrors Beyond Memories: Afro-Virginians and the Civil War,” in *New Perspectives on the Civil War: Myths and Realities of the National Conflict* eds. John Y. Simon and Michael E. Stevens (Madison, WI: Madison House, 1998), 161. For other references to mentioning the marital reforms see: Faust, *The Creation of Confederate Nationalism*, 77-79; Ervin L. Jordan, Jr., “Sleeping with the Enemy: Sex, Black Women, and the Civil War,” *The Western Journal of Black Studies* 18 (1994): 59-60.

sanction of the Queen. Bonetta and Davis were used by British abolitionists to illustrate how the influences of Christianity and western civilization benefitted people of African descent, arguing that the wedding “ceremony will also tell our brethren on the other side of the Atlantic, that British ladies and gentlemen consider it a pleasure and a privilege to do honor to those of the African race.”⁹⁰² The ceremony served as a public demonstration of Britain’s more progressive approach to integrating Africans who “had proved themselves capable of appreciating the advantages of a liberal education.”⁹⁰³ Despite this qualifying statement, the public display of a wedding among two former slaves was meant to arouse the ire of American abolitionists and demonstrate the inconsistencies of the southern system that continuously prevented slaves legally recognized marriages.

Proslavery apologists throughout the war, however, clung to the notion that the West Indian colonies revealed numerous moral failings and economic ruin after slavery’s abolition. In *The Southern Presbyterian Review*, Thomas Smyth wrote “The West India colonies flourished while slavery prevailed. They went to ruin, both of white man and black, the day they were emancipated. All the experiments have been tried of the self-elevation of the colored races...have been conspicuous failures.”⁹⁰⁴ While northerners and abolitionists disagreed with this assessment, southern apologists apparently had enough evidence (or propaganda) of moral decay in the West Indies to convince themselves that wide-scale manumissions would be both economically and morally

⁹⁰² “Marriage of an Ex-Slave in England: Interesting Ceremony at Brighton,” *Liberator* (September 26, 1862), 32.

⁹⁰³ “Marriage of an Ex-Slave in England,” *Liberator* (September 26, 1862), 32.

⁹⁰⁴ Thomas Smyth, “The War of the South Vindicated,” *The Southern Presbyterian Review, Conducted by an Association of Ministers*, vol. 15, no. 4 (April 1863), Published in Columbia, SC: Steam Power Press of C.P. Pelham, 1863.

detrimental to U.S. society. However, white southerners knew that regardless of the war's outcome, slavery would remain threatened by abolitionist forces throughout the Atlantic world. Like previous debates in the Anglo-Atlantic slave societies, the legality of slave marriage became a prime focus in white southerners' attempts to salvage the institution. Hoping to make the institution more palatable, their initial efforts during the first year of the War primarily concentrated on repealing laws that barred slaves from learning to read, alongside the legal protection of slave marriages.⁹⁰⁵ In 1861 Catholic Bishop Augustin Verot of St. Augustine, Florida doubted that God could bless a country where "there is woeful disregard of the hold laws of marriage," and proclaimed that "slaves must be encouraged to marry, and the laws of marriage must be observed among them exactly as among the whites...there is but one code of morality and domestic order."⁹⁰⁶ Like many of his contemporaries, Verot employed the biblical notion of not tearing asunder those who God joined together. He argued that while "slavery" was not inconsistent with the laws of God, the southern system had strayed too far from its biblical precedents and allowed the lecherous ambitions of selfish men to pollute the system to the point that God's law was compromised in the process.

Watching the destruction upon the home front, many white southerners believed providence and slave reform were directly connected. John McGill, Catholic Bishop of Virginia, argued his reforms on the basis of God's condemnation of the South. Taking an "occasion to deplore the conduct of the civil government...regarding the matrimonial

⁹⁰⁵ *Southern Recorder*, November 4, 1862 (Georgia State Library-Milledgeville); *Southwestern Baptist*, September 18, 1862 (State Library at Montgomery, AL); *Christian Index*, September 2, 1862; *Southern Churchmen*, January 31, 1862 (Virginia State Library, Richmond VA).

⁹⁰⁶ Augustin Verot, "A Sermon on Slavery and Abolition," in *American Catholics and Slavery*, 208.

contract of slaves,” McGill argued that these supposed Christians completely ignored the divine precepts of marriage, let alone its function as a civil contract.⁹⁰⁷ As a Catholic, McGill’s primary fear centralized within the fact that many slave marriages were “indissoluble by the sacramental bond, as well as by the original design of the Creator,” and many slaves risked the temptation to remarry as they were forcibly separated. In McGill’s interpretation of Church law, such alliances were forbidden.⁹⁰⁸ While he was not necessarily opposed to the existence of slavery, McGill certainly believed that God’s wrath was punishing the South for their refusal to respect the marriages of slaves. McGill surmised that if the South was to recover, southerners needed to unite in convincing the civil government to recognize slaves’ divine claims to legally protected marital unions.

Historians have noted that some individuals attempted to use their political connections to advance their agendas for slave marital reform, the most noteworthy example coming from North Carolina educator Calvin H. Wiley who wrote to his friend Zebulon B. Vance, who currently served as governor of North Carolina. Wiley’s main point in his eleven page letter was that the South had offended God in their endorsement of separating mothers from children and “permitting individuals to dissolve at will the married state.”⁹⁰⁹ Despite Wiley’s announcement of prophetic doom upon the southern region, there is little evidence that Vance took the advice. It is likely that Vance became more concerned about the looming possibility of southern defeat, especially as the formerly subservient slave population asserted itself in both official and unofficial forms

⁹⁰⁷ John McGill, *Faith, the Victory; or, A Comprehensive Law of the Principal Doctrines of the Christian Religion* (Richmond, VA: J.W. Randolph, 1865), 313.

⁹⁰⁸ McGill. *Faith, the Victory*, 314.

⁹⁰⁹ Quoted in Wiley, *Southern Negroes*, 170.

of resistance. However, the negligence of politicians did not quell the calls for reform. Even if legislation was never officially adopted, many southern intellectuals considered for slave marital reform an expedient idea in possibly salvaging the moral reputation of the South, both domestically and abroad.

Confederate diplomats even used slave reform as a method to court the strong abolitionist leanings of England. On January 1, 1862, southern diplomat James M. Mason sailed for England alongside his counterpart John Slidell who was on a similar mission to France hoping to attain recognition of Confederate nationhood. In addition to the economic arguments that rested on southern cotton, Mason was prepared to offer “certain moral concessions to English anti-slavery feeling, such as the regulations of marriage, the repeal of laws against manumission, etc.”⁹¹⁰ Mason, however, was unable to court England’s favor as he and Slidell were captured by a Union ship in the Caribbean Sea in an event known as the *Trent* Affair.⁹¹¹ At the threat of insulting Britain, the Union released Mason and Slidell and allowed them to continue to their respective destinations. Neither diplomat was successful, however, as Mason was never officially received in England, and France remained neutral despite the cordial relationship of Slidell with Napoleon III.⁹¹²

⁹¹⁰ Adam Gurowski, *Diary from March 4 1861 to November 12 1862* (originally published 1862; republished in New York: Burt Franklin, 1968), 172.

⁹¹¹ T. Harry Williams, “The American Civil War,” in *The New Cambridge Modern History, X. The Zenith of European Power, 1830-1870*, ed. John Patrick Tuer Bury (Cambridge: Cambridge University Press, 1964), 639-640.

⁹¹² Jeff Wallenfeldt, ed., *The American Civil War and Reconstruction: People, Politics, and Power* (New York: Britannica Educational Publishing, 2010), 226.

Going beyond mere reform, some southern ministers with abolitionist leanings took the war as an opportunity to push their agenda through adopting measures to validate slave marriages. Such actions were not always popular, however, and some faced the ire of church councils seeking to preserve the institution. Presbyterian minister James Sinclair of New Hanover County, North Carolina testified that he wrote a tract for a religious paper of his persecutions during the war due to his beliefs that “slavery was cruel and relentless as the grave...and, that it sought always to subject to its powers and influence the minds and bodies of its victims.”⁹¹³ The church council attempted to dismiss Sinclair without renewing his license for the purpose of incapacitating him from legally marrying freedmen according to the laws of North Carolina. Sinclair, however, continued his ministry to an all-black congregation, many of them former slaves, and his church drafted a resolution in 1864 to legalize “in a *quasi* manner the marriage relation among the negroes,” and provide them legal opportunities to gain literacy in the Presbyterian Church.⁹¹⁴ The proposal was sent to a committee of churches and subsequently rejected. Despite the inability to convince his regional affiliates on the benefits of slave matrimony, suffrage, and literacy, Sinclair’s experience reveals the changes the Civil War initiated on the ground level as African Americans daringly escaped the plantation and fled to communities that would foster the path toward citizenship.

⁹¹³ *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress* (Washington: Government Printing Office, 1866), 173.

⁹¹⁴ *Report of the Joint Committee*, 174.

Perhaps unsurprisingly, publications by southern ministers comprised the lion's share of calls for marital reform, and such publications lasted throughout the war. On January 1862, Bishop Atkinson of South Carolina cited his own endeavors since 1831 that helped initiate a cultural reform of slave marriages throughout South Carolina. While the reforms were largely due to his individual exhortations that masters and mistresses to sponsor slave weddings "according to God's ordinance", Atkinson maintained that such endeavors were much easier "on large plantations in the country, than in the towns and villages."⁹¹⁵ Large plantations provided an advantage in the ability for slaves to find a mate upon the same plantation rather than searching for a partner abroad. As noted in previous chapters, the latter option was usually discouraged by slave owners and ministers alike due to theories of slave insubordination, the loss of labor that came with the male travelling between plantations, and the fear that abroad marriages made it easier to separate slaves. Due to this last issue, Atkinson anticipated that "the time is approaching, when provision shall be made by our Legislatures to prevent the separation of married slaves."⁹¹⁶ Atkinson believed that issues surrounding the encouragement of slave morality (and the criticisms from abolitionists) could be alleviated if legislators enacted policies that protected slaves' domestic relations.

The period after 1863 produced some of the lengthiest tracts that discussed the moral integrity of slave marital relations amidst the bloody conflict. It is not entirely clear why the period after 1863 intensified calls for slave reforms, but the challenge to southern hegemony produced through the Emancipation Proclamation likely motivated

⁹¹⁵ "Religious Instruction of Colored Persons," *The Southern Churchman*, (January 31, 1862).

⁹¹⁶ "Religious Instruction of Colored Persons," *The Southern Churchman*, (January 31, 1862).

southern intellectuals to respond with greater intensity. In many respects, the arguments mirror the earlier calls of the antebellum era that maintained that while the church could exercise no authority over marriage “as a mere civil institution, she can do a great deal to make the colored people feel its sacredness” through an exhortation to Christian masters to avoid severing slave marriages through sale.⁹¹⁷ Even if the South won the war, these reformers believed that the system of slavery needed to evolve through legislative reforms, in turn asking the same question as the Rev. James A. Lyon of South Carolina: “what kind [of slavery] will most accord with the laws of nature and the spirit of Christianity[?]”⁹¹⁸ Despite the admitted inhumanity of slave trafficking, proslavery advocates maintained that providence had delivered African slaves to the shores of Christian nations, and they overwhelmingly believed that the relationship of the master to the slave was critical in encouraging the slaves to maintain a healthy respect for Christian tenets. Thus, according to this theory the African and his American descendants could only exist in servitude in North America, as the state of bondage would obligate the slave to mimic the intellectual, social, and moral pursuits of the master. In theory, reformers believed a just master held the potential to bring hundreds, perhaps thousands, of slaves to eternal salvation, though they were not entirely convinced that masters were always motivated to perform such duties. Additionally, they maintained that slave slaves were sometimes outside the master’s control as they could be severed through the authority of creditors, executors, and law commissioners if the master proved financially unfit.

⁹¹⁷ J. Leighton Wilson, “Report of the Committee on the Religious Instruction of Coloured People,” *The Southern Presbyterian Review, Conducted by an Association of Ministers*, vol. 15, no. 4 (April 1863): 198.

⁹¹⁸ James A. Lyon, “Slavery, and the Duties Growing out of the Relation,” *The Southern Presbyterian Review* 16 (July, 1863): 9.

Due to the issue of a master's negligence toward a slave's religious instruction, reformers again criticized Southern legal authorities for ignoring calls for introducing legislation that would improve the treatment of slaves. While education, biblical learning, and occupational skills featured as primary talking points in most publications, there was general agreement that "there is no dereliction connected with negro slavery, as it exists in this country, fraught with more evil...than that of ignoring, in our legislation, the marriage and domestic relations amongst slaves."⁹¹⁹ Such a call was made more palatable in that it emphasized the institution's aptitude for social control, in which slaves became more obedient if they enjoyed marriage sanctified through Christian principles.

Reformers during the Civil War became far more assertive, as they viewed the war as a divine judgment against the South for failing to make its institution more accommodating to natural law. Lyon maintained that a lack of marital legislation for slaves not only encouraged the master's disrespect for the union, but it allowed slaves to engage in activities like fornication, adultery, bigamy, incest, and rape amongst each other, free of any governmental prosecution: "There is no law, in any State, so far as we know, that recognizes marriage between the slaves, or that condemns any of the vices growing out of the relation of the sexes as perpetrated between the slaves."⁹²⁰ According to Lyons, the domestic unit was the sole opportunity for a slave to advance culturally and intellectually,

⁹¹⁹ Lyon, "Slavery," 25. For a contemporary statement from a different author with similar views, also see Calvin H. Wiley, *Scriptural Views of National Trials: Or the True Road to Independence and Peace of the Confederate States of America* (Greensboro, NC: Sterling, Campbell, and Albright, 1863), 187. Northern abolitionists were apparently watching these meetings among southern intellectuals as Lyons was quoted in *The Christian Recorder* as saying that "the marriage relation between slaves be sanctioned and protected by the laws of the state" as one of his five points for reforming the slave system. See "Southern General Assembly," *The Christian Recorder* (October 3, 1863).

⁹²⁰ Lyon, "Slavery," 28-29.

as American bondage prevented the autonomy that came with accumulation of property and the pursuit of knowledge.

Other southerners who were neither politicians nor church leaders expressed similar sentiments that continued to the end of the war. Bryan Tyson, a southern unionist, believed that marital reform was ultimately for the greater good. Despite his loyalty to the union, he defended southern slavery by arguing that very few masters forcibly separated their slaves. Thus, for Tyson slavery was not necessarily a problematic institution, as the remainder of his tract expressed favorable opinion on the paternal nature of most southern masters. He did, however, believe that northern scrutiny would be lessened if certain reform measures were enacted: "I would be glad to see laws passed at the South to prohibit a man and wife from being separated under any and all circumstances, and such is now the case in some of the States."⁹²¹ Unfortunately, Tyson did not divulge which states took these actions, though it was most likely hearsay. Tyson might have heard that certain states were taking steps to reform their individual slave codes, but as noted above, these measures never advanced prior to the closing of the Civil War.

Legalizing slave marriage was not given unanimous support among southern intellectuals, however, as they believed that a legal recognition of slave marriages would be the first step toward a complete inversion of the present system:

"It would amount to a revolution in the status of the slave...for, to remove the legal incapacity of the slave to contract would be to overthrow a distinctive fundamental principle of domestic slavery. The door once opened...where do you propose to stop?...You say that not to legalize marriage is in some way to deny a

⁹²¹ Bryan Tyson, "The Institution of Slavery in the Southern States, Religiously and Morally Considered in Connection with Our Sectional Troubles," in *Southern Unionist Pamphlets and the Civil War*, ed. Jon L. Wakelyn (Columbia, MO: University of Missouri Press, 1999), 184.

natural right. Granted, for the sake of argument. There are other things quite as natural as the affections which prompt us to marry. The right of private property...the law of *meum* and *tuum* is even more deeply imbedded in human nature...than the passions involved in the continuation of the species. What then? Must we legally accord this natural right also to slaves? Must the law authorize them to acquire property, to hold it, to alienate it, to transmit it by blood or will?...Such folly finds no advocates.⁹²²

The author was worried of a potential slippery slope created by even a slight modification of the present law, as he earlier contended that even the antebellum slave codes that prevented masters from certain forms of punishment unfairly curtailed the master's authority. The lengthy tract exhibits rebuttals to the primary arguments of the reformers, who contended that the legislative disregard for slave marriage "was unnatural and unscriptural" since it allowed for the separation of husbands from wives and encouraged the expansion of fornication, adultery, and other vices. Tackling each of these issues individually, the author summarized his point by arguing that the church was equipped to alleviate each of these problems without infringing upon a slave owner's property rights. As his prime example, the author criticized the condition of free blacks: "He is filthy still—miserably below that average of slave intelligence and morality...a slave marriage law can do no more towards changing the morals of the lustful Ethiopian than towards changing his skin."⁹²³ Despite their free status this contention submitted that peoples of African descent were inherently promiscuous, and it was religion, not legislation, that would remedy their inclinations. Ultimately, southern intellectuals found themselves deadlocked by the issues of property rights against natural law when studying the issue of slavery. Perhaps these disagreements were what ultimately halted any further

⁹²² "A Slave Marriage Law," *The Southern Presbyterian Review, Conducted by An Association of Ministers in Columbia, South Carolina*, 16, no. 2 (October, 1863): 148.

⁹²³ "A Slave Marriage Law," *The Southern Presbyterian*, 160.

consideration of legalizing slave matrimony during the Civil War period. The notion of protecting individual property rights trumped any attempts at moral reform of the institution. The suggested revisions to the system, however minor, were curtailed by those who sought to maintain absolute authority over their human chattel. Despite their unresolved status, however, these discussions reveal a critical turning point in how the concept of a “slave marriage” intensified political discourses when the institution came under fire both domestically and internationally. Outside these intellectual discussions, however, a population of four million enslaved individuals weighed their options in the midst of a conflict that would soon engulf their homes and present them with options for resistance that were unprecedented in former periods.

In revealing how slaves reacted to the news of the Civil War one finds that they did not hold a homogenous response to how to deal with the conflict. For many slaves during the initial years of the war life continued as usual as they held their own parties, prayer meetings, and continued to marry and develop relationships in the midst of war.⁹²⁴ Former North Carolina slave Jacob Thomas remembered that he gained permission from his master to marry his wife Phoebe and they conducted the ceremony “de year dat de war began.”⁹²⁵ In rare cases when an enslaved male went to battle and was returned due to illness or injury, he typically pursued marriage the same as he had in the antebellum period. John Hunter noted that when his father, a Confederate soldier, was sent back to

⁹²⁴ Elizabeth R. Baer, ed., *Shadows on my Heart: The Civil War Diary of Lucy Rebecca Buck of Virginia* (Athens, GA: The University of Georgia Press, 1997), 174; Virginia Ingraham Burr, ed., *The Secret Eye: The Journal of Ella Gertrude Clanton Thomas, 1848-1889* (Chapel Hill: The University of North Carolina Press, 1990), 194. Recent scholarship has argued that in the context of the Civil War “Negro Balls” and other celebrations could be termed as acts of resistance, see Stern, *Mary Chestnut’s Civil War Epic*, 236-237.

⁹²⁵ *The American Slave*, vol. 15, *North Carolina Narratives*, part 2, 350.

the master because he contracted scrofula during his military service he pursued a woman upon his former plantation. He quickly courted a young woman named Betsy Judge and they “just jumped over the broom” to seal their nuptials.⁹²⁶ Hunter noted that due to this blossoming relationship he was born in 1864. Hunter’s narrative suggests that despite the knowledge his father surely acquired through his travels to multiple battlefields and his associations with military personnel, he still decided to pursue his domestic future upon the plantation where he lived as a slave, instead of running to union lines. While one might be tempted to interpret this action as an act of loyalty toward the master, it was more likely an action that demonstrated the slaves’ concern for kin and family. Collectively, the narratives reveal that despite some knowledge of the conflict that would soon surround them enslaved people who decided to remain in their stations continued to form relationships that provided some stability to the conflict that consumed the landscape that surrounded the South.

Family, Kin, and Slaves’ Responses to the War

A significant number of slaves did not idly wait for southerners to reform the system. Unconcerned with the intellectual exchange of elite white circles, slaves utilized multiple tactics to break the shackles of the southern plantation. Despite some claims to the contrary, those mistresses left behind feared that those slaves who remained on the plantation were not always guaranteed to remain loyal. In one case, Emma Holmes of South Carolina discovered an enslaved nurse, previously “considered a good and faithful

⁹²⁶ *The American Slave*, vol. 9, *Arkansas Narratives*, part 3, 361.

servant”, was feeding a white child “eleven large pins”, which caused a series of convulsions and “agonizing screams” that would lead to sure death.”⁹²⁷ Acts of resistance ranged from simply fleeing the plantation to direct acts of violence and destruction. Sometimes slaves instigated such actions themselves, while other times they were encouraged by Union soldiers who saw practical benefits for encouraging slave resistance. Evidence suggests that direct acts of violence or sabotage accelerated after the release of the Emancipation Proclamation. In another example from a slave court in Anderson County, South Carolina on April 27th, 1863, a slave named Jane was brought to trial on charges that she attempted to burn down two houses, one on the 13th and the other on the 26th. Her attempted arson was actually successful on the 13th, as the report states the entire house burnt to the ground, but the house on the 26th only seems to have received partial damage. To be sure, arson was not an unusual act of resistance among slaves, as historian Herbert Aptheker duly noted this act was “one of the greatest dangers to antebellum southern society” due to the difficulty for a slave to acquire knives or firearms.⁹²⁸ Scholars of slave resistance in the Caribbean have also documented the uses of arson throughout the Atlantic World.⁹²⁹ Despite the fact that arson was not unique to slaves’ Civil War resistance methods, Jane’s apparent motivation to commit the act deserves attention, particularly since it provides voice to a slave who otherwise was

⁹²⁷ John F. Marszalek, ed., *The Diary of Miss Emma Holmes 1861-1866* (Baton Rouge, LA: Louisiana State University Press, 1979), 64.

⁹²⁸ Herbert Aptheker, *American Negro Slave Revolts* (1943; New York: International Publishers, 1993), 142.

⁹²⁹ Philippe R. Girard, *The Slaves who Defeated Napoleon: Toussaint Louverture and the Haitian War of Independence, 1801-1804* (Tuscaloosa, AL: The University of Alabama Press, 2011), 120; Matt D. Childs, *The 1812 Aponte Rebellion in Cuba and the Struggle Against Atlantic Slavery* (Chapel Hill: The University of North Carolina Press, 2006), 121, 141.

unable to document her story. When asked why she committed these acts of arson, she simply replied “her old mistress had made her mad.”⁹³⁰ Interestingly, Jane’s testimony was not an appeal to protecting herself from abuse, violence, or otherwise physically harmful mistreatment. The fact that she would commit arson, an incredibly serious crime for a slave, on the basis that she was “mad” suggests that this should not be treated as another random act of resistance, but is more suggestive that slaves during this period became conscious that whites were beginning to fear the inevitable; namely that their slaves would be free and no longer deserved to be treated as such. Mary Chestnut’s Civil War journal documented that even Confederate President Jefferson Davis’ home was not free from slave arsonists, and unsurprisingly placed blame upon Yankee instigators.⁹³¹

In even more blatant acts of defiance, ten slaves were arrested for murders that occurred in the eastern counties of North Carolina. Reports circulated that “both are said to be brutal murders without provocation & in *both* cases the slaves *confess* to the killings.”⁹³² The general feeling was an increased insubordination among the slaves, likely due to the growing reality that a Union victory would bring about wide-scale emancipation.⁹³³ Anxiety grew throughout the South at the realization they were surrounded by restless slaves who became increasingly aware at their prospects of freedom, and this led to high levels of suspicion at possible insurrectionary activities,

⁹³⁰ Trial of Jane, April 27th, 1863, Courts of Magistrates and Freeholders, Anderson County; South Carolina Department of Archives and History.

⁹³¹ Julia A. Stern, *Mary Chestnut’s Civil War Epic* (Chicago: University of Chicago Press, 2010), 220-221.

⁹³² “Paul C. Cameron to ZBV,” in *The Papers of Zebulon Baird Vance*, volume 2, 1863, ed. Joe A. Mobley (Raleigh, NC: Division of Archives and History, 1995), 60. For further information see Harold D. Moser, “Reaction in North Carolina to the Emancipation Proclamation,” *North Carolina Historical Review*, 44 (1967): 69; *Hillsborough Recorder*, February 18, 1863; *Hillsborough Recorder*, February 25, 1863.

⁹³³ *Hillsborough Recorder*, March 18, 1863; Moser, “Reaction in North Carolina,” 69.

particularly when Yankee soldiers were spotted associating with the slaves. In St. Mathews, South Carolina a plantation mistress reported of a plot instigated by one slave who ran off to Union lines with the intentions to convince fellow slaves to wreak havoc throughout the countryside. While his plot was uncovered prior to its execution he confessed that “there were 200 of them [slaves] on the different Plantations all armed and told where the arms were secreted but they only found 6 guns.” His plan “was to set fire to the houses and murder the people as they rushed out not one was to be spared a most diabolical plot and worthy of the Fiends that planned it. Can the world wonder that we hate and despise these wretches.”⁹³⁴ In North Carolina Yankee soldiers were spotted conversing with slaves on several plantations, but the slaves did not flee with the soldiers. The next day, however, the barn, stables, and other appliances on the farm of a Dr. Wilson were burned, with “threats and warnings against other loyal citizens” taking place after the vandalism.⁹³⁵

The above-referenced examples demonstrate that slaves consciously asserted themselves in the campaign against slavery, even when they were not legally allowed to engage in combat against the Confederacy. Even if they were aware of them, slaves were not interested in the South’s “reform” programs and asserted their rights toward citizenship through their own maneuvers. Most slaves probably did not engage in such directly confrontational acts, however, as they remained subject to the harsh legislative

⁹³⁴ Sarah Ciples Goodwyn to Artemus Darby Goodwyn, 23 December 1864; Artemus Darby Goodwyn Papers, South Caroliniana Library.

⁹³⁵ “John Pool to ZBV,” in *The Papers of Zebulon Baird Vance*, 223. Within this volume it is also worth noting that an exchange of letters between Zebulon Vance and Jefferson Davis took place citing the interception of a letter concerning a plan of Yankee soldiers to encourage a “general negro insurrection and distruction of all rail road bridges &c in the South.” See pp. 163, 178-179.

conditions of the southern slave regime throughout the Civil War. In following the actions of their forebears most slaves preferred to abscond to Union lines, though at considerable risk. Embedded within this entire dilemma were questions of spousal separation. The memories of former slaves suggest that most males who “took off to war” never saw their families again, leaving their spouses and children without any direct answer as to whether they were alive or dead. Former Georgia slave Delia Garlic remembered that directly prior to the Civil War she married a man from a neighboring plantation, but after he went into the battlefield she never saw him again and eventually married another man upon her own plantation.⁹³⁶

Garlic’s situation illustrates another dilemma that plagued slaves who engaged in this individual pursuit, as many who attempted to reconnect with their antebellum families after the Civil War’s conclusion found their spouses had remarried or relocated without any forewarning. Numerous letters written by black soldiers or their wives received no reply, and for those who received a response they acquired news of the hardship, destitution, and hopelessness of the war. Sometimes the letters, particularly those holding money, were intercepted by the owners or overseers, while others simply never found their target due to the forced relocations that occurred throughout the war.⁹³⁷ Despite the violence the domestic slave trade wrought upon slaves’ domestic relations, slaves trapped within the civil conflict were subject to similar conditions of loss or futility that came with separation. In a similar vein to other marriages, some slaves simply moved on to another marital partner that was only discovered when their original spouse

⁹³⁶ *The American Slave*, vol. 6, *Alabama and Indiana Narratives*, 132.

⁹³⁷ “Missouri Slave Woman to her Soldier Husband,” *Freedom*, series 2, 686-687, 692-693.

returned to the plantation after the Civil War. However, such situations are far more complicated when considering that slaves did not always marry according to their own volition. According to Frank Hughes of Pickensville, Alabama, his mother “was giv to anoder man named Hughes” after his biological father left with his master for the war. When his father returned to find his wife had remarried he left the county and Hughes recalled that “was de only time” he ever saw him.⁹³⁸ This occurrence suggests that while Hughes’ mother may have been paired with her second husband, she eventually developed into a stronger bond than the one shared with her first husband. Upon recognition that his wife would not return to him, her first husband “Cooper” decided to leave the area to seek familial stability.

As previous generations showed, running away was most effectively done individually, and those who decided to pursue this course did so with a looming suspicion they might never see their spouses or children again. However, George Stephens, a black reporter for the *Anglo-African* and soldier of the 54th Massachusetts Regiment, reported cases of escaped men in Virginia who returned to the their former plantations after discovering the refugees camps so that they could rescue their wives. In one case an anonymous former slave used a “small skiff with muffled oars” to rescue his wife who lived seven miles from the camp.⁹³⁹ According to Stephens, “he reached her, brought her off safe, gathered much valuable information of the strength and position of the enemy, and returned the following night to Liverpool point with his companion, safe and

⁹³⁸ *The American Slave*, vol. 8, *Mississippi Narratives*, part 3, first quote 1057, second quote 1058.

⁹³⁹ “Head Quarters, Hooker’s Division, Near Budd’s Ferry, Md, March 2d, 1862,” in *A Voice of Thunder: The Civil War Letters of George E. Stephens*, ed. Donald Yacovone (Urbana: University of Illinois Press, 1997), 186.

unharméd.”⁹⁴⁰ This man’s heroic actions spurred other former slaves to do the same. Stephens also wrote of a formerly enslaved “mixed blood” who also navigated the waterways and successfully secured his wife shortly after his compatriot, but it was the heroics of one former slave named Dennis Bland that most impressed him. Bland escaped the plantation individually with the knowledge his wife would follow him shortly after. Upon discovering his wife was bamboozled by two slaves she hired to build her a boat for the escape, Bland returned to the plantation to collect his family. That same night he gathered his wife and children along with a few friends and waded “waist deep out in the river on a December night, carrying that wife and those children he loved so well.”⁹⁴¹ Similarly, an 1863 report from Capt. C. B. Wilder, the Superintendent of Contrabands at Fortress Monroe, VA, revealed the deep affections that enslaved husbands maintained with their families as they set to return to the plantations to rescue their wives and children. When asked if they were afraid of the risk that came with such daring journeys, the men simply replied they had no fear because they were the individuals most familiar with the forests.⁹⁴² Wilder testified that he knew of men who successfully traveled all the way to Richmond to rescue their families, a roundtrip distance over 150 miles. He surmised that the rising tide of daring escapes and rescues was attributed to the ex-slaves no longer harboring fear of the southern wilderness, and if they were forced back to the plantation they could “get away again.”⁹⁴³ These husbands served as living examples to

⁹⁴⁰ “Head Quarters, Hooker’s Division, Near Budd’s Ferry, Md, March 2d, 1862,” in *A Voice of Thunder*, 186.

⁹⁴¹ “Budd’s Ferry, Md., April 5th, 1862,” in *A Voice of Thunder*, 205.

⁹⁴² “Testimony by the Superintendent of Contrabands at Fortress Monroe, Virginia, before the American Freedmen’s Inquiry Commission,” *Freedom*, vol. 1, series 1, 89.

⁹⁴³ “Testimony by the Superintendent of Contrabands,” in *Freedom*, vol. 1, series 1, 89.

the legitimacy of slaves' marital relationships and their ability to assert their rights to familial stability as the institution of slavery crumbled around them.

Cases of triumph, however, were counteracted by numerous instances of abuses inflicted on contraband slaves. At the prospect of Union soldiers being closer to their regional location, enslaved men, women, and children were able to successfully escape the plantation at rates considerably greater than those of the antebellum period, but this was not always a guarantee of protection.⁹⁴⁴ Slaves quickly found that white patronization and abuse did not cease after they crossed Union lines. Indeed, the most reprehensible actions committed against former slaves concerned the abuse of spouses by white soldiers, which surely resembled punishments and afflictions committed upon the plantation. Despite some familiarity with the landscape, runaway slaves ventured into relatively unknown circumstances. Each location posed different opportunities and challenges, and their treatment in the camps was largely determined by the soldiers that resided within them.

Contrabands were met with mixed reactions by Union soldiers and missionaries, and it was likely that this was the first time many of them had been in close proximity to a black southerner. Stereotypes of slaves' morality influenced the initial perceptions of the camp, and despite the absence of slavery in the North, most northern whites clung to

⁹⁴⁴ "Assistant Superintendent of Negro Affairs at Roanoke Island, North Carolina, and Several Missionary Teachers to the Freedmen's Bureau Commissioner," *Freedom: A Documentary History*, vol. 1, *The Black Military Experience*, series 2, 727-728; Susie King Taylor, *A Black Woman's Civil War Memoirs: Reminiscences of My Life in Camp with the 33rd U.S. Colored Troops, Late 1st South Carolina Volunteers* (Boston: The Author, 1902), 9; Clarence L. Mohr, *On the Threshold of Freedom: Masters and Slaves in Civil War Georgia* (Athens: GA: University of Georgia Press, 1986), 70-75; Edward A. Miller Jr., *Gullah Statesman: Robert Smalls from Slavery to Congress, 1839-1915* (Columbia, SC: University of South Carolina Press, 1995), 12; Glymph, "This Species of Property," 58.

the racial hierarchies popularized in the nineteenth century. The way in which slaves clung to their domestic relations impressed some, and one Union officer noted the obstacles enslaved men and women overcame to preserve their marital relations: “the negro has the domestic affection in as strong a degree as the white man, and however far south his master may drive him, he will sooner or later return to his family.”⁹⁴⁵ This officer attempted to reassess the traditional characterization of slaves’ loose morality through a discussion of the insurmountable odds that slaves overcame to preserve their familial ties, even as they faced the realities of forced separation during the war. More often, however, white Union soldiers approached slaves with the attitude that they were expendable resources of labor. Even northern abolitionists who read the reports concluded that enslaved men were prone to the frequent changing of wives, and when they were unable to separate from them they became insubordinate.⁹⁴⁶

In addition to providing possible beacons of refuge for slaves and cheap sources of labor for the union, the camps comprised a space for missionaries to instigate a vigorous civilizing mission to a people they believed destitute of true Christianity. Having been exposed to the manipulated gospel of slave owners and southern ministers, missionaries found slaves to be a highly religious people. But the missionaries believed that the circumstances of slavery, alongside some cultural predilections, had voided the practice of monogamous matrimony within most slave communities.

⁹⁴⁵ “Order by the Commander of the Department of Virginia and North Carolina, Fort Monroe, Va., December 5th, 1863,” in *Freedom: A Documentary History*, vol. 2, series 1, *The Wartime Genesis of Free Labor: The Upper South*, 171.

⁹⁴⁶ “Testimony by a Northern Abolitionist Before the American Freedmen’s Inquiry Commission, *Freedom: A Documentary History*, vol. 2, series 1, *The Wartime Genesis of Free Labor: The Upper South*, 181.

At times a black couple's search for a minister within the contraband camps to legitimize their union was a confusing process, which led to cruel sarcasm that provided entertainment for the white soldiers. A Union soldier named Arthur Emmett O'Connor wrote that two formerly enslaved couples applied to him for their wedding, and despite his initial confusion one of the brides declared "Misser Connor der is no use tryen to fool dis gal. I know all about you." After inquiring to him if he was "one of the Lord's men," Connor nonchalantly responded he hoped he "was one of the chosen."⁹⁴⁷ While Connor did not necessarily lie, his response confused the naïve ex-slaves who were previously unexposed to a legally recognized, white Christian minister. Connor credited the slaves' confusions with the fact that military life had prevented him from shaving, and his long gray beard made him resemble an Old Testament patriarch. After revealing to them he was actually not a minister they further pressed him to perform the ceremony, claiming they would not be fooled by his guile. A time was set for the supposedly private affair, though it was not long after until the ex-slaves had spread the news of their forthcoming nuptials throughout the camp.

The wedding ceremony was filled with black and white attendants, certificates, a prayer book, a makeshift ring crafted from "beef bone" that was used for both couples, alongside "18 bridesmaid[s] and 18 groomsmen."⁹⁴⁸ The ceremony continued according to the standards of traditional Christian matrimony, though a few "doctors" appeared at the wedding for their own entertainment. While Connor performed the ceremony with a

⁹⁴⁷ "February 24th, 1862," in Arthur Emmett 'O Connor Letters, Oct. 4, 1861-Feb. 24, 1862, written to Capt. Wise, Virginia Historical Society.

⁹⁴⁸ "February 24th, 1862," in Arthur Emmett 'O Connor Letters, Oct. 4, 1861-Feb. 24, 1862, written to Capt. Wise, Virginia Historical Society.

certain degree of solemnity, one of the young doctors interjected prior to the conclusion of the ceremony hoping to “perform” for one of the couples.⁹⁴⁹ The doctor’s “performance” was undertaken with levity, and Connor agreed to the substitution because he was “bursting to get away and have a laugh” at the expense of the ex-slaves who believed the ceremony was legitimate. Despite the initial protests of the ex-slaves, Connor and his acquaintances used verbal trickery to show that a doctor was the same thing as a clergyman, as clergymen were “doctors” of divinity. To the entertainment of the whites, the ex-slaves accepted the notion and the ceremonies concluded as if performed by a recognized minister. It is unknown if black couples ever discovered the trickery, but the narrative is valuable for how whites generally perceived enslaved people in the Union camps. Never treated as equals, contraband slaves were often the targets of Union soldiers’ jokes and harassment. In regards to the respect for the marital relation, the contraband camps became zones of violence and intimidation for enslaved spouses and families who found themselves within Union lines.

Despite popular notions of African American promiscuity, Union officials did understand the strong attachment that individual slaves held to their families once they met them. Some whites who observed the incorporation of slaves into the Union camps opined that slaves were seeking to renew their existing familial ties whenever possible.⁹⁵⁰ Women and children were usually received when accompanied by the husband, as they

⁹⁴⁹ “February 24th, 1862,” in Arthur Emmett ‘O Connor Letters, Oct. 4, 1861-Feb. 24, 1862, written to Capt. Wise, Virginia Historical Society.

⁹⁵⁰ “Testimony by the Superintendent of Contrabands at Camp Barker before the American Freedmen’s Inquiry Commission,” *Freedom*, vol. 2, series 1, 290.

were said to have “domestic affections in as strong a degree as the white man.”⁹⁵¹ This revelation, however, was unable to prevent abuse. As early as 1862 statements were issued from Union encampments that reported slave women were subjected to gross abuses within camps, and the violence and sexual exploitation was inflicted upon them in front of their husbands. Chaplain Samuel Sawyer reported from Helena, Arkansas stated the wives of some slaves were molested by the soldiers “to gratify their own licentious lust, and their husbands murdered in endeavoring to defend them, and yet the guilty parties, though known, were not arrested.”⁹⁵² Sawyer continued to state that husbands were frequently employed to work on fortifications and their wives and families were left in helpless and starving conditions. The report suggests that escaping the exploitation of the plantation was frequently not equal to escaping physical and sexual abuse. The lawlessness that defined white violence upon black bodies resembled the harsh realities of plantation zones in which black bodies were sexualized and terrorized for monetary gain. In the case of the Union encampments these relationships took on a similar setting as black bodies were abused and demoralized without reprimand.

At times, however, the discourse shifted blame to the black women. Some observers judged that interracial sex was not only produced by force, but due to the fact that “the women...are easily persuaded by white men”, which they attributed to the power the master held over them, “against which the husband...was powerless to

⁹⁵¹ “Order by the Commander of the Department of Virginia and North Carolina,” in *Freedom*, vol. 2, series 1, 171.

⁹⁵² “Superintendent of Contrabands in the District of Eastern Arkansas to the Commander of the Department of the Missouri, Enclosing a Letter from a Committee of Chaplains and Surgeons to the Commander,” *Freedom*, vol. 3, series 1, 675.

protect.”⁹⁵³ Even some free blacks testified that slave women preferred to cohabit with white men rather than black because mixed children were “considered more creditable.”⁹⁵⁴ Such attitudes were representative of the same ideas that permeated the slave south and Atlantic world for multiple centuries. The notion that peoples of African descent held no inherent moral sensibilities and they were largely barred from the rules governing acceptable Christian standards of monogamy and fidelity under slavery worried the chaplains assigned to prepare the escaped slaves for the prospect of freedom. While most former slaves were likely more prepared than many anticipated to practice the expectations associated with legal marriage, the combination of prejudices and stereotypes that many northerners harbored against black southerners alongside the ex-slaves’ disinterest in conforming to white patterns were key factors in discouraging ex-slaves from embracing Christian matrimony.

Often, black soldiers who departed for combat after 1863 found their wives and children were mistreated during their absence. John Higgins, a black soldier in Kentucky, complained to his superiors that when he initially enrolled in the military an officer assured him that his wife and children would be cared for within the camp. Upon his departure, however, Higgins’ wife and children were driven from the small hut they had built in the camp, despite her protestations that she was ill and could not face the winter conditions. The white soldiers responded her requests “be damned, if you do not get out

⁹⁵³ “Treasury Department Special Agency for the South Carolina Sea Islands to the Secretary of the Treasury,” *Freedom*, Vol. 3, series 1, 133.

⁹⁵⁴ “Testimony of a New Orleans Free Man of Color before the American Freedman’s Inquiry Commission,” *Freedom*, Vol. 3, series 1, 523.

we will burn the house over your heads.”⁹⁵⁵ Higgins’ disgust with this treatment was amplified by his contention that his wife had never asked for any government assistance, but she had earned her money by washing. Other black soldiers levelled similar complaints that concerned the forcible expulsion of their wives and children after their departure, stressing that their wives and children presented no financial strain upon the government and did not deserve such unjust treatment.⁹⁵⁶ Even one agent of the American Missionary Association testified to observing that he saw “six or eight wagon loads” of women and children being driven from the camp, and once expelled, their huts were destroyed.⁹⁵⁷

Such affidavits were telling for what they revealed about race relations within the camp. Even if the former slaves were not a financial strain upon the unit, their sheer presence was enough to encourage the hostilities of the Union soldiers. Reports from the Union-occupied territories of the Deep South suggest the rules governing enslaved bodies mirrored those of the plantation setting. Eight former slaves stated that while they were employed at a warehouse in New Orleans they were “arrested while going from the warehouse to dinner, for no cause, but that we had no passes.”⁹⁵⁸ The complaint was issued due to the men’s concerns for their wives conditions. One former slave named Isaac White noted his situation was particularly precarious as he had a wife “in bad health with

⁹⁵⁵ “Affidavit of a Kentucky Black Soldier,” *Freedom*, vol. 2, series 1, 687.

⁹⁵⁶ For correspondence upon this issue see “Superintendent of the Colored Refugee Home at Camp Nelson, Kentucky, to the Chief Quartermaster at Camp Nelson,” *Freedom*, vol. 2, series 1, 680-686. In the same volume and series one finds another example, “Affidavit of a Kentucky Black Soldier,” 687-688.

⁹⁵⁷ “Affidavit of an Agent of the American Missionary Association,” *Freedom*, vol. 2, series 1, 689.

⁹⁵⁸ Former Slaves of the New Orleans Gas Works to the Commander of the Department of the Gulf,” *Freedom*, vol. 1, series1, 223.

a small baby solely dependent upon him for support.”⁹⁵⁹ The unjust nature of the arrest demonstrated the inequity that surrounded numerous contrabands who sought asylum from an army that was supposedly sent to liberate them. Thus, many African American couples and families throughout the Civil War first found themselves running from oppression only to end up running toward it. The notion that former slaves would have no place in postwar America was continuously manifested as they sought protection within the Union lines, only to be forcibly escorted out to face harsh weather conditions and the mistreatment of runaway slaves if they were captured by the Confederate army.

Surviving contraband camps, however, was not the only concern for African Americans in the Civil War. Despite the heroic stories of black men and women braving the wilderness to successfully rescue their families, the South was still a warzone replete with disgruntled poor whites, enslaved opportunists, and deserters. One rescue mission that comprised a small contingent of “colored” employees who used ferries to bring their families to safety was “intercepted by a force of irregular appearance, numbering about 100.”⁹⁶⁰ This anonymous enemy was equipped with various armaments, including rifles, guns, horses, and dogs, but did not appear to be under orders of the Confederacy. Two slaves were reported killed in the skirmish, one woman wounded, and the remaining slaves fled when the boat banked on a marsh. The sponsor of the mission, Brigadier General Edward Wild reported that only two had returned to the camp, and surmised the others were either slaughtered or captured by this mysterious contingent.

⁹⁵⁹ Former Slaves of the New Orleans Gas Works,” *Freedom*, vol. 1, series1, 223.

⁹⁶⁰ “Commander of a Black Brigade to the Commander of the District of Eastern Virginia,” *Freedom*, vol. 1, series 1, 98.

The actual process of running away, or enlisting in the Union military, placed black men and women at significant risk due to the uncertainty of what might happen to their spouses and children. At times, the knowledge that abuse would occur in his absence was too severe for the husband to bare, and a few families risked their lives escaping in groups to Union lines.⁹⁶¹ The majority of enslaved couples, however, decided the husband would leave first and return to acquire his kin, though they did so at significant emotional and physical cost. Clarissa Burdett testified that after her husband Ely ran off to join the Union army her master “beat me over the head with an axe handle saying...that he beat me for letting Ely Burdett go off.”⁹⁶² Thus, the master violently unleashed his frustration upon the slave who remained on the plantation, blaming Burdett for her inability to encourage their spouse to remain. One enslaved woman reprimanded her military husband for leaving her in such difficulty. While her letter is filled with affection and a longing for his return she scolded him for not realizing the abuses she would face if he decided to leave for the Union: “You recollect what I told you how they would do after you was gone. They abuse me...and beat me scandalously the day before yesterday—Oh I never thought you would give me so much trouble as I have got to bear now.”⁹⁶³ However, even if evidence of physical abuse was unknown to the husband, the psychological difficulty of separation was a considerable factor in the hardship of running away. In an unanswered letter from fugitive slave Nathan Mc Kinney, he inquired if the military had any information upon his wife and “fello-servant” who went to the “yeenkis”,

⁹⁶¹ For examples see “Affidavit of a Kentucky Black Soldier,” *Freedom*, series 2, 269-270; “Affidavit of a Kentucky Black Soldier and his Wife,” *Freedom*, series 2, 276 .

⁹⁶² “Affidavit of a Kentucky Black Soldier’s Wife,” *Freedom*, vol. 1, series 1, 615.

⁹⁶³ “Missouri Slave Woman to her Soldier Husband,” *Freedom*, series 2, 244.

but were promptly arrested and sent to prison.⁹⁶⁴ Mc Kinney requested a permit to get his wife out of prison, but the remaining documentation suggests that his request was ignored. Fugitive slave John Boston, who escaped from a plantation in Maryland to join the 14th Regiment of Brooklyn, wrote his wife that she could rest assured because he was at last free. He noted that even if they did not meet again on earth, they would meet again “in heven Whare Jexas ranes.”⁹⁶⁵ Strangely, the note said very little about a possible reunion between the two, which suggests there was a mutual understanding among many couples that freedom was to be sought, even if physical separation for an indefinite period was the cost.

After black men were eligible for Union military service, recruiting them for enlistment in the Border States posed particular problems due to the protestations of the slave-holding white population. Early in the war most slaves who escaped to Union lines were initially returned to their masters or resold for profit. As late as 1864 one report from Missouri relayed “information from a variety of sources that numbers of the wives and children of those enlisted colored men are being smuggled across to Kentucky and sold—and many others are suffering the most brutal and inhumane treatment.”⁹⁶⁶ The threat of sale, of course, was a threat developed among slave owners to ensure that slaves were too terrified to abscond, but documents reveal that even if slaves escaped the plantation they sometimes had to combat predatory white men seeking their final profits

⁹⁶⁴ “New Orleans Fugitive Slave to the Commander of the Department of the Gulf,” *Freedom* vol. 1, series 1, 242.

⁹⁶⁵ “Maryland Fugitive Slave to his Wife,” *Freedom*, vol. 1, series 1, 357.

⁹⁶⁶ Superintendent of the Organization of Missouri Black Troops to the Headquarters of the Department of the Missouri, with Reports from an Officer in a Missouri Black Regiment and from a Local Provost Marshal,” *Freedom*, series 2, 242.

from an institution that was dying under the likely Union victory.⁹⁶⁷ Orders were eventually given to arrest those who prowled throughout the camps or Union-occupied plantations with intentions of stealing and selling the former slaves, but the threat of sale remained a reality for all slaves who took the risk of absconding.⁹⁶⁸

An equally harrowing occurrence was the return of fugitive slaves to their former masters. An affidavit from a District of Columbia freedman Grandison Briscoe stated that his wife, child, and mother were taken as fugitive slaves and returned to their former masters. For their disobedience his wife and mother were whipped so severely “their clothes were raised and tied over their heads to keep their screams from disturbing the neighborhood.”⁹⁶⁹ After the beating they were then taken to jail where the child was separated from its mother and died soon after. Briscoe’s wife also gave birth about 6 months after her capture, but was provided no clothing for either herself or the child. In February 6, 1864, Briscoe noted they had still not been released from prison. The uncertainty of the law regarding freed slaves and contrabands initiated confusion early in the war throughout border states like Maryland, as it was not uncommon for certain family members to be free and others to remain enslaved. This dilemma was enhanced by the fact that many, if not most, slave families were products of abroad marriages. Former slave John Dennis wrote the Secretary of War that he was widowed in 1859 and left with three children who lived upon a plantation where the men “half feed them and half cloth

⁹⁶⁷ “Superintendent of the Organization of Missouri Black Troops to the Commander of the Department of Missouri,” *Freedom*, series 2, 245. Also see in the same volume “Army Commissary Officer to the Secretary of War, 247.

⁹⁶⁸ “Superintendent of the Organization of Missouri Black Troops to the Commander of the Department of Missouri,” *Freedom*, series 2, 246.

⁹⁶⁹ “Affidavit of a District of Columbia Freedman,” *Freedom*, vol. 1, series 1, 365.

them and beat them like dogs.”⁹⁷⁰ As was common in many of these requests, his pleas for assistance were ignored. At times, formerly enslaved soldiers used their newly acquired freedom to report their condition to their wives, send them money, or even encouraged them to consider leaving the plantation.⁹⁷¹

Due to the larger population of runaway slaves complaining about the circumstances of fleeing to Union lines, white commentators became aware of the problems. An 1864 report noted “the negroes are terrified and intimidated from enlisting, by threats of violence to themselves and families...by the barbarous treatment of the wives of men who have enlisted.”⁹⁷² Leaving their families behind posed significant challenges for enslaved husbands, as the wives became the targets for the master or mistress’ ire. Slave owners certainly felt a sense of betrayal at the high levels of slaves who absconded throughout the war period, and turned their vengeful energies toward those who still remained. Even if physical punishment was not the desired tactic, mistresses were known to threaten female domestic slaves with fieldwork or sale. Such intimidation did not always work, however, as reports leaked in of female slaves that ran to Union-occupied territories through the fear they were going to be sold and forced to perform agricultural labor.⁹⁷³ Problems on the home front that included issues of spousal infidelity and starvation also posed a significant problem for encouraging black soldiers

⁹⁷⁰ “Maryland Former Slave to the Secretary of War,” *Freedom*, vol. 1, series 1, 386.

⁹⁷¹ “Missouri Black Soldier to his Wife and her Owner,” *Freedom*, vol. 1, series 1, 484.

⁹⁷² A. Jacobson, “Saint Louis, Feby. 17th 1864,” in *Freedom: A Documentary History*, series 2, *The Black Military Experience*, 241.

⁹⁷³ “Provost Marshal at Mexico, Missouri, to the Provost Marshal General of the Department of Missouri,” *Freedom*, vol. 2, series 1, 600.

to remain in the military units, as letters poured in daily “in which the wives of enlisted men describe their sufferings, and the sufferings of their families...wives have proved untrue to their husbands and abandoned their offspring.”⁹⁷⁴

These circumstances became especially alarming after the Union enlistment of black troops became normative throughout the South. Captain T.E. Hall of Camp Nelson, Kentucky remarked that the forcible expulsion of black soldiers’ wives and children needed to cease, for “the recruit has no desire to bring miseries upon his family which might be averted by his remaining in slavery, and his services can be of no avail to the government, if by joining the service, he subjects his wife and children to indignity and destitution.”⁹⁷⁵ To curtail the abusive practices, Hall recommended the possibility that African Americans be segregated within specific sections of the camp to free them from white harassment. The spaces would hold them captive to the civilizing campaigns of missionaries and government employees hoping to instruct the former slaves “in the principles of pure morality.”⁹⁷⁶ For all their hardships, Hall and numerous others foresaw that the contraband camps might serve as a location that would educate former slaves on the expectations of citizenship, the most important doctrine being engagement with the marriage contract.

⁹⁷⁴ “Commander of the Northern District of the Department of the South to the Headquarters of the Department of the South,” *Freedom*, series 2, 398.

⁹⁷⁵ “Quartermaster at Camp Nelson, Kentucky, to the Headquarters of the Military District of Kentucky, Enclosing a Diagram of a Proposed Refuge for Black Soldiers’ Families,” *Freedom*, vol. 2, series 1, 691.

⁹⁷⁶ “Quartermaster at Camp Nelson,” in *Freedom*, vol. 2, series 1, 691.

Marriage and Preparation for Citizenship

Reports from the camps suggested that their civilizing mission gained some successes, but simultaneously posed a few caveats. In the early months of 1864 the Secretary of War issued Special Order 15, part of which declared that marriages of Freedmen were to be legalized.⁹⁷⁷ After this declaration, the Union-occupied territory of Vicksburg, MS reported that their individual camp had legalized the marriages of forty three couples within the regiment, “according to the Order of the Secretary of War, some of whom had lived together according to the slave system Thirty years without legal Marriage.”⁹⁷⁸ The knowledge that former slaves in the Deep South actually secured a legally recognized marriage prior to the conclusion of the Civil War is a significant issue. While one could argue that by 1864 the Union was headed toward imminent victory as it pushed deeper into Confederate territory, the notion that “slave marriages” were legally registered while most black southerners remained categorized as property demonstrates the integral component that the contraband camps served in preparing both slaves and government officials for the task of legitimating the relationships of four million slaves held in Confederate bondage. James Peet, the chaplain at Vicksburg noted the “protection” that legally-recognized marriages offered slaves made them feel that they were “beginning to be regarded and treated as human beings.”⁹⁷⁹ Thus, while military service by former slaves highlighted the former slave’s direct challenge to the

⁹⁷⁷ “Chaplain of a Louisiana Black Regiment to the Regimental Adjutant,” *Freedom*, series 2, 623.

⁹⁷⁸ “Chaplain of a Mississippi Black Regiment to the Adjutant General of the Army,” *Freedom*, series 2, 604.

⁹⁷⁹ “Chaplain of a Mississippi Black Regiment to the Adjutant General of the Army,” *Freedom*, series 2, 604.

Confederate system, the opportunity for them to secure a legally-binding marriage was a significant step in transforming slaves into citizens in post-war America.

The performance of marriage, of course, was complicated by the logistics of the contract, particularly among a group of people who previously held no legitimate property rights. Chaplains were largely hesitant to perform marriages among former slaves who met *in* the camp, as they believed they would be distracted and far more hesitant to leave their newly acquired spouse. Most ministers held no quarrel with legalizing those unions that were previously validated among the spouses prior to their entrance into the contraband camps, as this suggested the matured spouses understood the uncertainty that came with military service and dwelling in the midst of a warzone. The ministers also sought to curtail the practice of black soldiers “marrying Common place women of the town.”⁹⁸⁰ In Missouri Colonel John G. Hudson listed five rules for validating the marriages of former slaves, all of which revolved around the notion that the “Head Quarters” of the company would bestow the final approval or disapproval of the union, despite its validation by a minister.⁹⁸¹ Military officials and ministers also understood that slave unions were not always the picturesque examples of domestic bliss, and evidence suggests that they queried about the notion of a divorce law for slaves while they resided in the camps. The chaplains noted that despite the apparent success of encouraging black soldiers and their spouses to embrace legal marriage, a number of couples requested divorces on legal and scriptural grounds, and the government was

⁹⁸⁰ “Order by the Commander of a Missouri Black Regiment,” *Freedom*, series 2, 709.

⁹⁸¹ “Order by the Commander of a Missouri Black Regiment,” *Freedom*, series 2, 709.

encouraged to act quickly on these requests “that evil consequences might be avoided.”⁹⁸² Thus, the matrimonial regulations established in the midst of Civil War helped to establish precedents for many facets that influenced black marital life in the transition to the postbellum period of American history.

The duality of marriage as a religious performance and legal identity troubled northern legislators who lamented the difficulty in facing the legitimization of the relationships of four million newly freed people upon the prospect of a Union victory. Additionally, white Christians held residual prejudices that slaves engaged in haphazard relationships that included fornication, polygamy, and the frequent changing of wives or husbands. Ideally, contraband camps encouraged a setting in which escaped slaves were captive to the ministers and government employees who attempted to educate the supposedly uncivilized southern blacks who emerged from a system that provided little preparation for comprehending the standards of American marriage laws. While many ministers expressed optimism at the pivotal shifts in former slaves’ attitudes toward embracing the Christian standards of legal matrimony, a number believed the actions of black men and women throughout the camps revealed their unpreparedness in meeting the standards of American marriage.

The former residences of escaped slaves probably had a great deal to do with their willingness to embrace the marital standards of the Union officials. Reports from Beaufort, South Carolina, an area that held a significant population of slaves much closer to an African identity than other areas, Union Captain E.W. Hooper testified in June 1863

⁹⁸² “Chaplain of a Louisiana Black Regiment to the Regimental Adjutant,” *Freedom*, series 2, 624.

that he believed that “chief trouble of all is the non-obligation of the marriage relation.”⁹⁸³ Hooper’s account is interesting in that he did not believe that the former slaves lacked in any intellectual capacity, but understood that their cultural practices did not align with traditional American standards of monogamy. For these former slaves it appeared more than simply a question of their cultural conditioning upon the plantation, but more so their unapologetic notion that they followed their own regulations regarding marriage and fidelity. One formerly enslaved Beaufort native testified in 1863 that rules concerning children born out-of-wedlock and sexual passion were viewed differently by the slaves of his community than the general American public.⁹⁸⁴ Such notions were seconded by the observations of Whitelaw Reid, a white Republican politician who visited the South after the Civil War. Reid noted some slaves on the majority-black South Carolina Sea Islands “came well up to the description of Brigham Young,” the noted Mormon polygamist/prophet, in their marital practices. While it might be easy to dismiss Reid’s comments as those of an ethnocentric outsider, his notation can be validated if one considers that the cultural and demographic environment of the Sea Islands provided greater opportunity for practicing more African-infused marital standards outside the Christian ideal.⁹⁸⁵

In southern Louisiana and the Mississippi Valley missionaries confronted similar circumstances, though there was a notion that monogamy was more the standard in these

⁹⁸³ “Testimony by an Aide to the Military Governor in the Department of the South Before the American Freedmen’s Inquiry Commission,” *Freedom*, series 1, vol. 3, 242.

⁹⁸⁴ “Testimony by a South Carolina Freedman Before the American Freedmen’s Inquiry Commission,” *Freedom*, vol. 3, series 1, 252.

⁹⁸⁵ Whitelaw Reid, *After the War: A Southern Tour, May 1, 1865 to May 1, 1866* (London: Sampson, Low, Son, and Marston, 1866), 126.

areas than the coastal communities of South Carolina and Georgia. As one freedmen from New Orleans explained in 1864, “the slave relation was often the source of great domestic difficulty; the fact of cohabitation was well known to both parents and children.”⁹⁸⁶ Essentially, the freedman was trying to explain that the moral codes that many slaves followed were different than the Anglo-American standard. The remainder of the account suggested the differences stemmed from the master’s negligence in enforcing Christian morality as well as the slaves’ own indifference toward following the Christian standards. Thus, while cultural shifts in the slave community geared them toward an acceptance of Eurocentric conceptions of matrimony, much of the Civil War correspondence regarding slave marital patterns suggests that many slaves in areas with large plantations, such as the sugar plantations of Louisiana or the black majorities of the South Carolina lowcountry, remained reluctant to fully embrace Christian marriage ceremonies.

Such testimony was complicated, however, by the statements of Louisiana planters who decided to cooperate with the Union. In one passage former slave owner William J. Minor claimed that the marriage relation among slaves was encouraged and sustained by the master, and when married by their own preachers “they considered themselves as much married as now, when they are married by a white one, licensed.”⁹⁸⁷ Unsurprisingly, Minor claimed that the freedom his slaves were now acquiring caused them to demoralize the Christianity he attempted to instill within them under bondage.

⁹⁸⁶ “Testimony of a New Orleans Free Man of Color Before the American Freedmen’s Inquiry Commission,” *Freedom*, vol. 3, series 1, 523.

⁹⁸⁷ “Testimony by a Louisiana Planter Before the Smith-Brady Commission,” *Freedom*, vol. 3, series 1, 602.

While Minor's claim was meant to bolster the morality of the antebellum system, many Union officers and churchmen admitted that slaves maintained strong filial attachments with one another, even if they did not see the point in registering their marriages with the government. In many cases all that was left to bring them was a legally-binding marital contract to complete a critical step in their education as citizens.⁹⁸⁸ This moral dilemma alarmed both chaplains and government employees who were deemed responsible for the moral advancement of the former slaves and as the body of contraband slaves grew larger throughout the Union-occupied South they developed governmental regulations that demanded former slaves legalize their marriages in the eyes of the law. In January 1864 the Union army began leasing plantations in hopes to maintain their productivity and provide work for the newly acquired freedmen who escaped to Union lines. One of the policies enacted required all ex-slaves who labored upon the plantation to be legally married, assume a family name, and a register be kept of all births, deaths, and marriages by the Superintendents.⁹⁸⁹ Legitimizing the nuclear units of former slaves prior to the full-scale freedom they were granted post-Civil War provided blueprints for how federal and state governments would regulate the new marital freedoms extended to the millions of African Americans freed through the civil war.

Maintaining the integrity of the many declarations of freedom during the War remained a complex process, and despite the multiple hints toward familial protection for enslaved servicemen one could even argue that "freedom" for southern black military

⁹⁸⁸ "General Superintendent of Contrabands in the Department of the Tennessee to the Headquarters of the Department," *Freedom*, Vol. 3, series 1, 695-696.

⁹⁸⁹ "Regulations Issued by the Supervising Agent of the Treasury Department 1st Special Agency," *Freedom*, vol. 3, series 1, 777.

personnel was not fully implemented until the resolution of March 3, 1865, approximately one month prior to Robert E. Lee's surrender at Appomatox. This resolution declared the wives and children of formerly enslaved soldiers "forever free", and went a step further than previous actions in its acknowledgement of the difficulties associated with the validation of enslaved marriages.⁹⁹⁰ Not surprisingly, the resolution was released to attract even more black recruits to the Union military, believing that enslaved men would be motivated to fight for their women and children that had been legally denied to them for so long. As with many legislative actions dealing with the position of slaves, legal loopholes and biased interpretations prevented wide-scale recognition of former slaves "rights" in the Union territories. Despite optimism at the prospect of freedom, historian Leslie L. Schwalm points out that "the contrabands belief that they had gained their freedom in fact had no legal foundation until Lincoln's Emancipation Proclamation."⁹⁹¹ But the possibility of gaining freedom meant that at some point enslaved males could participate in the body politic, which included an ability to form legally protected contracts, of which marriage was arguably the most important. Having witnessed the forcible separations of families and friends under antebellum slavery for multiple centuries, escaped slaves were forced to wait until lawmakers took their definitive steps to protecting enslaved marital relations and legal claim to their family members.

⁹⁹⁰ "A Resolution to Encourage Enlistments and to Promote the Efficiency of the Military Forces of the United States, 13 Res. 571 (March 3, 1865) (Resolution Freeing the Wives and Children of All Blacks in the Armed Forces)," in *Changes in Law and Society During the Civil War and Reconstruction*, ed. Christian G. Samito (Carbondale, IL: Southern Illinois University Press, 2009), 158-159.

⁹⁹¹ Schwalm, *A Hard Fight for We*, 91.

Conclusion

Thus, slave marriage as both a concept and a cultural practice remained a pertinent issue for the four years of military conflict that changed the course of the United States. The historical documents reveal that questions concerning slave marriage continued to resonate within the social, cultural, legal, and political issues that permeated the Confederacy, Union, and slaves who wondered about the impact that emancipation of four million African Americans held upon the United States in the postbellum years. The prospect of liberty forced American law to reckon with legislation that conveniently ignored any specific pronouncements upon the validity of slave marriages. Slaves, masters, soldiers, and civilians throughout the Union and Confederate territories wondered how the ability to “marry” as either a slave or freeman might adjust the circumstances of the present conflict. It is difficult to know for certain if Confederate plans to legalize slave marriages would have encouraged an earlier treaty, or what might have occurred if the Union decided to forego recognition of the slaves’ kinship ties as they flooded their lines throughout the war. Ultimately, the extensive body of correspondence from both black and white authors reveals that questions of domestic stability were ubiquitous features for those who witnessed the tenacity and courage of southern blacks that fought not only for their own freedom, but for their spouses and children left behind upon the plantations.

CONCLUSION

In 1932, centenarian and former Alabama slave Delia Garlic revealed to her interviewer a depiction of slavery that divulged the violence and familial separations that characterized her experience in the antebellum system. She unveiled her story with intense and raw personal emotion, and arguably reveals the essence of chattel slavery more concisely than any secondary work ever could:

“Babies was snatched from dere mother’s breas’ an’ sold to speculators. Chilluns was separated from sisters an’ brothers an’ never saw each other ag’in. Course dey cry; you think dey not cry when dey was sold lak cattle? I could tell you ‘bout it all day, but even den you couldn’t guess de awfulness of it. It’s bad to belong to folks dat own you soul an’ body; dat can tie you up to a tree, wid yo’ face in the tree an’ yo’ arms fastened tight aroun’ it; who take a long curlin’ whip an’ cut de blood ever’ lick. Folks a mile away could hear dem awful whippings. Dey wuz a terrible part of livin...Us heard talk ‘bout de war, but us didn’t pay no ‘tention. Us never dreamed dat freedom would ever come.”⁹⁹²

For Garlic, slavery held no redeeming qualities. There was no fondness for the master or mistress or nostalgic recollections of parties at the big house, but only the misery that came with frequent abuses and familial rupture by the slave-owning elite. In fact, it

⁹⁹² *The American Slave*, vol. 6, *Alabama Narratives*, 129-131.

appears the only satisfaction that Garlic gained under bondage was her realization that the master and mistress were forced to endure the same sense of loss when their sons enlisted in the Confederate army: “Massa Garlic had two boys in de war. When de went off de Massa an’ missis cried, but it made us glad to see dem cry, Dey made us cry so much.”⁹⁹³ This last statement highlights an important point in the brief triumph that the Civil War and Reconstruction brought to many African American families who understood that their spouses and children could never again be separated from them by the slave owner. However, the history of American marriage from 1865 beyond remained predicated upon the complicated relationship between race, gender, class, and the law.

In the decades following the Civil War African Americans were encouraged, and at times forced, to embrace the American standards of marriage that required governmental recognition of their union. A few narratives from the formerly enslaved reveal that folk customs like the broomstick wedding was perpetuated in rural black communities after the Civil War when few other options were available, but the available resources prevent us from cataloguing its cultural impact with the same precision as the antebellum period.⁹⁹⁴ Some former slaves simply refused to register their marriages after the Civil War as they claimed the slave ceremonies were sufficient, despite federal and state regulations to the contrary.⁹⁹⁵ Ultimately, many former slaves did secure a legally-

⁹⁹³ *The American Slave*, vol. 6, *Alabama Narratives*, 131.

⁹⁹⁴ *The American Slave*, vol. 13, *Georgia Narratives*, part 4, 268; *The American Slave*, vol. 13, *Georgia Narratives*, part 4, 216; *The American Slave*, vol. 16, *Kentucky Narratives*, 104.

⁹⁹⁵ Newspapers reported upon some individuals who waited nearly seventy years before finally legitimizing their marriage, noting that the couple had “jumped the broom” during slavery. This suggests that some African Americans largely disregarded the need to sanction their unions until they were forced to contend with the legal requirements of the American legal system. “Parents May Object due to Lucy’s Youth,” *The Hartford Herald* September 4, 1912, 6. Another couple with nearly identical names were also reported to have been married at the same time. It is likely that this is the same couple, see: “Negro Married Same

recognized union from either a justice of the peace or a registered minister. As one former slave from Tennessee explained, those wives of deceased black soldiers found they were ineligible for a pension “if they married by jumping over the broom stick.”⁹⁹⁶ Having been barred from the legal institution of marriage for multiple centuries former slaves recognized the value of attaining a legally-protected union. For the postbellum period in particular, they recognized this was the only way to legitimate their familial unit and ensure their property could be inherited by their descendants.⁹⁹⁷

While most African Americans embraced more orthodox forms of marriage after the Civil War, this should not necessarily be interpreted as a concerted attempt to completely disregard the symbolic value that irregular unions like broomstick wedding provided under slavery. Some nostalgically reflected on the ease of marrying over the broomstick and resented the notion they had to “pay good money for a license” just for a justice of the peace to say a few words.⁹⁹⁸ Others attested to the moral superiority of slave

Woman Nearly Fifty Eight Years Ago,” *The Bisbee Daily Review* September 3, 1912, 1. For analyses that detail African Americans dealings with the Freedmen’s Bureau both during and after the Civil War see Randy Finley, *From Slavery to Uncertain Freedom: The Freedmen’s Bureau in Arkansas, 1865-1869* (Fayetteville, AR: The University of Arkansas Press, 1996); Mary Farmer-Kaiser, *Freedwomen and the Freedmen’s Bureau: Race, Gender, & Public Policy in the Age of Emancipation* (New York: Fordham University Press, 2010); Ira Berlin and Leslie S. Rowland, eds., *Families and Freedom: A Documentary History of African-American Kinship in the Civil War Era* (New York: New Press, 1997).

⁹⁹⁶ *The American Slave*, vol. 18, *Unwritten History of Slavery*, 124.

⁹⁹⁷ The historical record shows that drastic repercussions awaited the descendants of those former slaves who refused to register their marriages with the government. Many of these cases went to court, some as late as the mid-twentieth century. The results were mixed, but even if the land was successfully retained within the family the costly legal battle certainly dealt a financial blow to families who were already restricted by racially-based American legislation. For a chronological selection of these court cases see the following news reports: “The Validity of Slave Marriages,” *New York Times* (Feb. 25, 1884); “Legality of Slave Marriage at Issue,” *The Washington Post* (Jun 27, 1899); “Slave Marriage Void: A Son by Such a Union Debarred from Inheriting Estate of Father,” *New York Times* (May 24, 1903); “Bureau Recognizes Slave Marriages,” *The New York Amsterdam News* (Oct. 13, 1926); “Heirs Claim Land Left by Slave Kin,” *The Chicago Defender* (Mar. 11, 1950).

⁹⁹⁸ *The American Slave*, vol. 13, *Georgia Narratives*, part 4, 22.

matrimony against the marriages of blacks in the 1930s, contending that slaves stayed with their partners for more extended periods than the decadent youth of the early twentieth century.⁹⁹⁹ Interestingly, British gypsies interviewed in 1910 reflected the same sentiments. In contrast to the younger generations, husbands and wives who participated in the gypsy ritual “lived together for years without quarrelling.”¹⁰⁰⁰ Thus, while the legislative requirements of Anglo-inspired legislation gradually phased out these folk customs from the view of the general public, the recollections from folk communities on both sides of the Atlantic suggest they clearly believed these rituals were important for providing psychological comfort in times of oppression.

The illegality of slave marriages under Anglophone laws, however, presented myriad difficulties for the descendants of slaves in proving their legitimacy as heirs of land and property. Such circumstances were not only unique to North American slave communities, however, as manifested by one letter in 1895 addressed to the Manchester parish church in Jamaica. The writer requested the rector “kindly aid the bearer of this, Robert Hyman, in tracing the marriage of his father and mother Charles Hyman of Sherwood Forest to Cecilia. The marriage is said to have been solemnized at Snowden by the reverend Hall. The object is to trace his legitimacy or not.”¹⁰⁰¹ Among African Americans in North America court cases surrounding the validity of slave marriages were

⁹⁹⁹ *The American Slave*, vol. 6, *Alabama Narratives*, 428; For similar references of how marriage meant more to slaves than African Americans in the early twentieth century see *The American Slave*, vol. 12, *Georgia Narratives*, part 2, 69; *The American Slave*, vol. 13, *Georgia Narratives*, part 4, 22; *The American Slave*, supplement, series 2, vol. 6, *Texas Narratives*, part 5, 2023; *The American Slave*, supplement, series 2, vol. 8, *Texas Narratives*, part 7, 3209.

¹⁰⁰⁰ Lyster, “Marriage over the Broomstick,” 199.

¹⁰⁰¹ “Daley Lewis to The Right Revd. C.H. Donet, December 20, 1895,” Manchester Baptisms 1833-1861, Marriages 1834-1836, National Archives of Jamaica.

reported by multiple newspapers and were depicted as being particularly problematic. One case was reported as late as 1950, and it revolved around questions of who was deemed the legitimate heir to the property of their formerly enslaved ancestors.¹⁰⁰² These cases typically pitted family members against one another as each party sought to claim that they were the only legally recognized next-of-kin to the deceased. As many ex-slaves had children with multiple spouses before and after emancipation, the courts had difficulty determining which marriage was considered valid under the state law. Many of these slave descendants soon found that due to a general ignorance of American slave laws that the court decisions could go either way, as judges declared a slave marriage valid or invalid according to the dictates of American legislation.¹⁰⁰³ The court cases suggest that for some African Americans the residual influences of slave marriage in American history were not alleviated until nearly one century after the Civil War.

One wonders, however, if the legislative legacies of slave marriage were ever alleviated entirely from American marital legislation. As former slaves were now able to acquire property and engage in the contract of marriage, white males were fearful that their authority could potentially be curtailed by black men. Fear of interracial relationships became a prominent topic in postbellum discourse. In her case study of the politics of marriage and race in postemancipation Arkansas, Hannah Rosen shows that the opposition toward miscegenation was “in the end a protest against representing

¹⁰⁰² “Heirs Claim Land Left by Slave Kin,” *The Chicago Defender* (March 11, 1950).

¹⁰⁰³ For a selection of such cases see “Slave Marriage Void: A Son by Such a Union Debarred from Inheriting Estate of Father,” *New York Times* (May 24, 1903); “Born in Slave Wedlock: Heirs of Madison’s Body Servant Not Required to Prove a Marriage Ceremony,” *The Washington Post* (February 5, 1896); “Slave Marriages: An Interesting Question Discussed in a District Supreme Court Case,” *The Washington Post* (March 6, 1883); “Slave Marriages: A Chicago Judge Decides that they were Illegal,” *The Washington Post* (May 10, 1888).

African American men as...legitimate patriarchs and hence as honorable and independent men worthy of full citizenship.”¹⁰⁰⁴ While Arkansas previously held a rigid 1838 law that banned interracial unions, Nancy Cott notes that both during and after the Civil War a number of former slave states that previously held no laws banning interracial marriages quickly enacted them. While it initially appears strange that powerful slave states like Alabama, Georgia, Mississippi, and South Carolina held no such legislation in the antebellum years, while states like California, Maine, and Iowa did, Cott argues that the “southern abstentions can be attributed to the sufficiency of slave codes in maintain social inequality, not to special tolerance.”¹⁰⁰⁵ Thus, when slavery was no longer an option for maintaining white dominance over the black body, miscegenation laws helped secure the racially-based status quo of not only the southern region, but all of North America.

The trajectory of how America defines marital normalcy has typically favored the views of the majority over the minority. The Mormon embrace of polygamy in the nineteenth century rendered them upon the same moral plain as Africans, as well as enslaved and formerly enslaved African Americans in the nineteenth century. Discourses against Mormons were so intense that comparisons were drawn between both groups in their accumulations of wives. In remarking upon the social structure of the Kru of West Africa, Richard F. Burton noted Kru society was “built upon polygamy, which is much after the Mormon principle, a division of labour.”¹⁰⁰⁶ Some commentators even promoted

¹⁰⁰⁴ Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2009), 136.

¹⁰⁰⁵ Cott, *Public Vows*, 41.

¹⁰⁰⁶ Burton, *Wanderings in West Africa*, 28.

the far-fetched notion that ex-slave males would flock to Mormonism so they could legitimately acquire more than one woman.¹⁰⁰⁷ Of course, the racial barriers established by the Mormon elite in the mid-nineteenth century prevented this from happening. While Joseph Smith was more inclined to acceptance of black church members he was assassinated by an armed mob in 1844, and his successor Brigham Young and subsequent church leaders in the nineteenth century subscribed to a series of regressive racial policies that precluded full participation of blacks in Mormonism, rendering this idea a moot point. The stereotype of black polygamy was largely propaganda by the late nineteenth century, but the connections that the white Protestant elite made between the marriage preferences of two mutually exclusive groups were effective in ostracizing populations who they believed did not meet the monogamous standards that defined American marriage in the nineteenth century.¹⁰⁰⁸

The most recent debate that now consumes the discussions of marital orthodoxy centralize within the legitimacy of same-sex marriage. While they are aware of the differences, scholars, authors, and activists affiliated with the LGBTQ community frequently point to the connections between slavery, race, and marriage as providing a historical lineage for understanding the inequity of modern American marital legislation.¹⁰⁰⁹ In an interesting counterpoint, it is noteworthy that black majority

¹⁰⁰⁷ *Weekly Graphic* (February 17, 1882).

¹⁰⁰⁸ For the literature upon this question see Newell G. Bringhurst, *Saints, Slaves, and Blacks: The Changing Place of Black People within Mormonism* (Westport, Conn.: Greenwood Press, 1981). Lester E. Bush, Jr., "Mormonism's Negro Doctrine: An Historical Overview", *Dialogue: A Journal of Mormon Thought* 8, no. 1 (1973): 18–19; Newell G. Bringhurst and Darron T. Smith, eds., *Black and Mormon* (Urbana: University of Illinois Press, 2004).

¹⁰⁰⁹ George Chauncey, *Why Marriage: The History Shaping Today's Debate Over Gay Equality* (Cambridge: Basic Books, 2004), 61–64; William N. Eskridge and Darren R. Spedale, *Gay Marriage: For*

countries historically tied to slavery and the slave trade remain highly conservative on the issue, as locations such as Jamaica, Bermuda, and Nigeria remain committed to the notion that marriage remains defined as the union between one man and one wife, though some exceptions exist for polygynous relations in African countries. The opposition largely stems from the vocal opposition of black Christian churches, as one Seventh-Day Adventist pastor from Jamaica openly stated that the issue “has changed and has turned into something other than what it really is ... sin. It's no longer same-sex, it's now marriage equality ... what an audacity”¹⁰¹⁰ Despite this pastor’s criticism, framing the issue as one of human and civil rights has been rather effective in the United States. Similar positions historically defined the more doctrinally conservative black churches of the United States, though evidence suggests this might be changing. While still only a minority of African Americans favor same-sex marriage, recent polling reveals the tide is turning rather quickly.¹⁰¹¹

In the end, the history of American marriage is an issue that expands beyond the boundaries of the US nation-state. To fully understand the questions centralizing within how and why slaves of African descent recreated and reimagined marriage rites in the Americas it is necessary to examine the cultural precedents that existed in other areas of the Atlantic, and the interconnections that existed between colonies, empires, and

Better or For Worse?: What We've Learned from the Evidence (Oxford: Oxford University Press, 2006), 231.

¹⁰¹⁰ Quote from “Pastor: Same-sex marriage not a human-rights issue,” *The Gleaner (Jamaica)* (August 5, 2013). Also see “Bermuda: No gay marriages under Premier Cannonier's leadership,” *The Gleaner (Jamaica)* (June 19, 2013); “New law bans same-sex marriage,” *The Gleaner (Jamaica)* (January 14, 2014).

¹⁰¹¹ John Blake, “Complexity in Black Church Reactions to Obama’s Gay Marriage Announcement,” *CNN.com* (May 11, 2012). Accessed March 10, 2014.

republics throughout the period of Atlantic slavery. Slave cultures did not develop in a vacuum, but were privy to the same cultural currents that influenced the social developments of other groups who migrated throughout the Atlantic world. The concept of slave marriage has been deeply influential in American political and legal history, and the practice of marriage among slaves remains highly important for the socio-cultural practices of both white and black Americans in the twenty-first century. While regional histories hold particular importance for uncovering the intricacies of how these relationships differed in various areas, analyzing slave culture through the paradigms of the African Diaspora in the Atlantic world provides important context for tracking the origins and values of cultural traits and legislative measures that remain prominent in the mentalities of many individuals who dwell in the multifaceted societies birthed through the Atlantic world.

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